





1000

AFRICANA

MERENSKY-DIBLIOTEEK

UNIVERSITEIT VAN PRETORIA.

Klasnommer..... ZPA 2(6)

Registernommer..... 66133

THEAL



Digitized by the Internet Archive
in 2015

RECORDS
OF THE
CAPE COLONY

From NOVEMBER 1815 to MAY 1818.

COPIED FOR THE CAPE GOVERNMENT, FROM THE
MANUSCRIPT DOCUMENTS IN THE PUBLIC
RECORD OFFICE, LONDON,

BY
GEORGE M^CCALL THEAL, D.LIT., LL.D.,
COLONIAL HISTORIOGRAPHER.

VOL. XI.

PRINTED FOR
THE GOVERNMENT OF THE CAPE COLONY.

1902.

LONDON:

PRINTED BY WILLIAM CLOWES AND SONS, LIMITED,
DUKE STREET, STAMFORD STREET, S.E., AND GREAT WINDMILL STREET, W.

CONTENTS.

DATE	PAGE
1815	
15 Nov. Letter from Vice Admiral Tyler to J. W. Croker, Esqre. . .	1
11 Dec. Letter from Lord Charles Somerset to Earl Bathurst . . .	2
Enclosures concerning the Slachter's Nek Insurrection .	7
13 Dec. Letter from Rear Admiral Cockburn to J. W. Croker, Esqre.	41
15 Dec. Appointment of a Clergyman to Graaff Reinet . . .	44
22 Dec. Appointments to the Burgher Senate	44
23 Dec. Letter from Lord Charles Somerset to Earl Bathurst . . .	45
29 Dec. Letter from the Reverend C. I. Latrobe to Henry Goulburn,	
Esqre.	47
Revenue and Expenditure Returns for 1815	48
Census Returns for 1815	51
Agricultural Returns for 1815	52
1816	
12 Jan. Proclamation by Lord Charles Somerset	53
„ Letter from Rear Admiral Cockburn to J. W. Croker, Esqre.	53
„ „ „ „ „	55
19 Jan. Letter from Earl Bathurst to Lord Charles Somerset . . .	56
20 Jan. Letter from Lord Charles Somerset to Earl Bathurst . . .	56
22 Jan. „ „ „ „ . . .	57
24 Jan. „ „ „ „ . . .	58
25 Jan. Return of Troops in the Garrison	59
29 Jan. Letter from the Earl of Caledon to Lord Bathurst . . .	60
„ Letter from Thomas Courtenay, Esqre., to Henry Goulburn,	
Esqre.	60
30 Jan. Letter from Lord Charles Somerset to Earl Bathurst . . .	62
Enclosures concerning the Reverend Mr. McKenny .	62
3 Feb. Memorandum by Mr. D'Escury	64
6 Feb. Letter from Thomas Lack, Esqre., to Henry Goulburn, Esqre.	69
9 Feb. Letter from Earl Bathurst to Lord Charles Somerset . . .	70
„ Proclamation by Lord Charles Somerset	71
10 Feb. Letter from Earl Bathurst to Lord Charles Somerset . . .	71
13 Feb. Letter from Lord Charles Somerset to Earl Bathurst . . .	72
17 Feb. Proclamation by Lord Charles Somerset	73

DATE		PAGE
1816		
23 Feb.	Letter from Lord Charles Somerset to Earl Bathurst . . .	75
24 Feb.	Letter from J. W. Croker, Esqre., to Vice Admiral Tyler . .	75
25 Feb.	Return of Troops in the Garrison	78
28 Feb.	Letter from Earl Bathurst to Lord Charles Somerset . . .	78
2 March.	Letter from Rear Admiral Cockburn to J. W. Croker, Esqre.	79
4 March.	Letter from Lord Charles Somerset to Earl Bathurst . . .	79
5 March.	" " " " " " . . .	80
"	Letter from Vice Admiral Tyler to J. W. Croker, Esqre. . .	81
6 March.	Letter from Earl Bathurst to Lord Charles Somerset . . .	82
8 March.	Letter from W. Hamilton, Esqre., to Henry Goulburn, Esqre.	84
"	Letter from Vice Admiral Tyler to J. W. Croker, Esqre. . .	84
12 March.	Letter from Lord Charles Somerset to Earl Bathurst . . .	85
"	" " " " " " . . .	86
15 March.	Proclamation by Lord Charles Somerset	87
22 March.	Letter from R. Lushington, Esqre., to Henry Goulburn, Esqre.	87
	Enclosure :—	
	Instructions from the Treasury to the Governor of the Cape of Good Hope	87
24 March.	Letter from Earl Bathurst to Lord Charles Somerset . . .	95
26 March.	" " " " " " . . .	96
"	Letter from Lord Charles Somerset to Earl Bathurst . . .	96
27 March.	Letter from Lord Bathurst to Lord Charles Somerset . . .	97
29 March.	" " " " " " . . .	97
30 March.	" " " " " " . . .	98
4 April.	" " " " " " . . .	99
5 April.	Proclamation by Lord Charles Somerset	99
11 April.	" " " " " " . . .	100
16 April.	Letter from Lord Bathurst to Lord Charles Somerset . . .	100
17 April.	Letter from Lord Charles Somerset to Earl Bathurst . . .	101
25 April.	Letter from James Cobb, Esqre., to T. P. Courtenay, Esqre.	101
26 April.	Proclamation by Lord Charles Somerset	102
1 May.	Letter from Lord Bathurst to Lord Charles Somerset . . .	106
3 May.	" " " " " " . . .	106
8 May.	Letter from Thomas Courtenay, Esqre., to Henry Goulburn, Esqre.	107
10 May.	Proclamation by Lord Charles Somerset	107
18 May.	Letter from Lord Charles Somerset to Earl Bathurst . . .	108
"	" " " " " " . . .	110
20 May.	Memorial of Lieutenant Colonel Cuyler	111
21 May.	Letter from Lord Charles Somerset to Earl Bathurst . . .	112
24 May.	Letter from Mr. G. Beelaerts van Blokland to Lord Charles Somerset	115
"	Letter from S. R. Chapman, Esqre., to Henry Goulburn, Esqre.	116
"	Proclamation by Lord Charles Somerset	116
25 May.	Letter from Lord Bathurst to Lord Charles Somerset . . .	117

DATE		PAGE
1816		
25 May.	Letter from Lord Bathurst to Lord Charles Somerset . .	117
27 May.	Letter from Lord Charles Somerset to Earl Bathurst . .	118
7 June.	" " " . .	118
"	Letter from Chief Justice Truter to Deputy Secretary Bird .	119
"	Proclamation by Lord Charles Somerset	124
9 June.	Letter from the Colonial Auditors to the Lords Commissioners of the Treasury	126
13 June.	Letter from the Reverend Dr. Werninck to Henry Goulburn, Esqre.	131
15 June.	" " "	131
17 June.	Letter from Rear Admiral Malcolm to J. W. Croker, Esqre.	132
19 June.	Letter from Lord Bathurst to Lord Charles Somerset . .	132
"	Letter from Lord Charles Somerset to Earl Bathurst . .	133
24 June.	Letter from Lord Bathurst to Lord Charles Somerset . .	133
25 June.	Letter from Lord Charles Somerset to Earl Bathurst . .	134
26 June.	Letter from Lord Bathurst to Lord Charles Somerset . .	136
29 June.	" " "	136
"	" " "	137
"	Letter from Lord Charles Somerset to Earl Bathurst . .	137
4 July.	Letter from Lord Bathurst to Lord Charles Somerset . .	138
"	" " "	139
26 July.	Proclamation by Lord Charles Somerset	139
31 July.	Letter from Rear Admiral Malcolm to Lord Charles Somerset	140
1 Aug.	Letter from Lord Charles Somerset to Earl Bathurst . .	141
3 Aug.	Letter from Lord Charles Somerset to Henry Goulburn, Esqre.	141
6 Aug.	Letter from Lord Bathurst to Lord Charles Somerset . .	142
15 Aug.	Letter from Lord Charles Somerset to Earl Bathurst . .	143
	Enclosures concerning Baron Van Hogendorp's claims .	144
"	Letter from Lord Charles Somerset to Earl Bathurst . .	148
16 Aug.	Proclamation by Lord Charles Somerset	150
1 Sept.	Letter from Lord Charles Somerset to Earl Bathurst . .	150
"	" " "	151
	Enclosure: Statement of Local Rates and Assessments .	163
6 Sept.	Letter from Lord Bathurst to Lord Charles Somerset . .	164
7 Sept.	Letter from Lord Charles Somerset to Earl Bathurst . .	166
12 Sept.	Letter from Captain Festing to Rear Admiral Malcolm . .	167
13 Sept.	Letter from Lord Charles Somerset to Earl Bathurst . .	168
	Enclosure: Instructions to Landdrost and Heemraden .	171
"	Letter from R. B. Fisher, Esqre., to Earl Bathurst . .	173
	Enclosure: Letter to Wm. Wilberforce, Esqre., M.P. .	176
16 Sept.	Letter from Lord Bathurst to Lord Charles Somerset . .	183
17 Sept.	" " "	183
19 Sept.	Letter from Lord Charles Somerset to Earl Bathurst . .	184
"	" " "	185
24 Sept.	Letter from Lord Bathurst to Lord Charles Somerset . .	188

DATE		PAGE
1816		
26 Sept.	Letter from Benjamin Moodie, Esqre., to Alexander McLeay, Esqre.	189
29 Sept.	Letter from Lord Bathurst to Lord Charles Somerset . . .	191
30 Sept.	" " " " . . .	191
"	" " " " . . .	191
4 Oct.	Proclamation by Lord Charles Somerset	192
"	Appointment of Postmasters	192
10 Oct.	Letter from the Reverend George Burder to Earl Bathurst .	193
11 Oct.	Letter from the Vicar Apostolic Dr. Poynter to Earl Bathurst	193
15 Oct.	Letter from Lord Charles Somerset to Earl Bathurst . . .	194
"	" " " " . . .	195
"	Letter from Count Munster to Lord Castlereagh . . .	197
16 Oct.	Letter from Rear Admiral Malcolm to J. W. Croker, Esqre.	197
"	" " " " . . .	198
17 Oct.	Letter from Lord Bathurst to Lord Charles Somerset . . .	199
19 Oct.	Letter from Lord Charles Somerset to Earl Bathurst . . .	200
22 Oct.	Letter from Henry Goulburn, Esqre., to Lord Charles Somerset	201
24 Oct.	Letter from Lord Charles Somerset to Earl Bathurst . . .	202
	Enclosures relating to the Island of Tristan d'Acunha .	205
25 Oct.	Letter from Lord Bathurst to Lord Charles Somerset . . .	212
1 Nov.	Proclamation by Lord Charles Somerset	212
8 Nov.	Letter from Deputy Secretary Bird to the Lombard Bank .	213
12 Nov.	Letter from Lord Bathurst to Lord Charles Somerset . . .	214
27 Nov.	" " " " . . .	214
2 Dec.	Letter from John Barrow, Esqre., to Henry Goulburn, Esqre.	216
3 Dec.	Letter from Lord Charles Somerset to Earl Bathurst . . .	216
6 Dec.	Letter from Deputy Secretary Bird to J. F. Reitz, Esqre. .	218
7 Dec.	Letter from Commandant Cloete to Lord Charles Somerset .	220
	Enclosure : People on Island of Tristan d'Acunha .	223
12 Dec.	Letter from Lord Bathurst to Lord Charles Somerset . . .	223
"	Letter from Landdrost Stockenstrom to the Rev. Mr. Anderson	224
"	Letter from Landdrost Stockenstrom to Fieldcornet Burger .	225
"	Letter from the Registrar of Slaves to J. F. Reitz, Esqre. .	226
13 Dec.	Proclamation by Lord Charles Somerset	226
14 Dec.	Letter from Landdrost Stockenstrom to Deputy Secretary Bird	228
17 Dec.	Letter from Lord Bathurst to Lord Charles Somerset . . .	230
18 Dec.	" " " " . . .	230
19 Dec.	" " " " . . .	231
23 Dec.	Letter from Deputy Secretary Bird to the Commissary of Vendues	231
25 Dec.	Return of Troops in the Garrison	232
27 Dec.	Proclamation by Lord Charles Somerset	232
28 Dec.	Letter from Sir Hudson Lowe to Lord Charles Somerset .	232

DATE		PAGE
1816		
	Revenue and Expenditure Returns for 1816	235
	Census Returns for 1816	238
	Agricultural Returns for 1816	239
1817		
1 Jan.	Letter from Earl Bathurst to Lord Charles Somerset	240
3 Jan.	Letter from Henry Goulburn, Esqre., to Lord Charles Somerset	242
4 Jan.	Letter from Earl Bathurst to Lord Charles Somerset	243
8 Jan.	Letter from Thomas Lack, Esqre., to George Harrison, Esqre.	243
9 Jan.	Letter from H. Hamilton, Esqre., to Henry Goulburn, Esqre.	244
10 Jan.	Letter from Lord Charles Somerset to Earl Bathurst	245
"	Proclamation by Lord Charles Somerset	247
11 Jan.	Letter from Lord Charles Somerset to Earl Bathurst	247
12 Jan.	" " " "	248
16 Jan.	Letter from Earl Bathurst to Lord Charles Somerset	249
17 Jan.	" " " "	249
"	" " " "	250
20 Jan.	Letter from Thomas Lack, Esqre., to J. R. Lushington, Esqre.	250
22 Jan.	Letter from the Colonial Secretary to Count Las Casas	251
23 Jan.	Letter from Lord Charles Somerset to Earl Bathurst	252
"	" " " "	256
"	Letter from Count Las Casas to Lord Charles Somerset	258
25 Jan.	Letter from Earl Bathurst to Lord Charles Somerset	259
"	Letter from Lord Charles Somerset to Earl Bathurst	260
"	" " " "	260
"	Letter from the Colonial Secretary to Count Las Casas	261
"	Return of Troops in the Garrison	261
26 Jan.	Letter from Lord Charles Somerset to Earl Bathurst	262
	Enclosures concerning the Reverend Dr. Jones	262
"	Letter from Lord Charles Somerset to Earl Bathurst	271
28 Jan.	Letter from Earl Bathurst to Lord Charles Somerset	272
"	Letter from the Colonial Auditors to the Lords Commissioners of His Majesty's Treasury	272
30 Jan.	Letter from Earl Bathurst to Lord Charles Somerset	273
"	" " " "	274
"	" " " "	275
1 Feb.	Letter from John Barrow, Esqre., to Henry Goulburn, Esqre.	275
3 Feb.	Letter from W. D. Jennings, Esqre., to Lord Charles Somerset	276
5 Feb.	Letter from Lord Charles Somerset to Earl Bathurst	277
7 Feb.	Letter from the Reverend Dr. Jones to the Colonial Secretary	278
10 Feb.	Letter from J. R. Lushington, Esqre., to Henry Goulburn, Esqre.	278

DATE		PAGE
1817		
10 Feb.	Letter from Lord Melville to Rear Admiral Cockburn . . .	279
11 Feb.	Letter from Rear Admiral Cockburn to Lord Melville . . .	279
15 Feb.	Letter from Earl Bathurst to Lord Charles Somerset . . .	280
„	Letter from Lord Charles Somerset to Earl Bathurst . . .	281
16 Feb.	Letter from Earl Bathurst to Lord Charles Somerset . . .	281
17 Feb.	„ „ „ . . .	282
20 Feb.	Letter from Earl Bathurst to Captain Cloete . . .	282
„	Letter from J. R. Lushington, Esqre., to Henry Goulburn, Esqre.	282
21 Feb.	Letter from Earl Bathurst to Lord Charles Somerset . . .	283
24 Feb.	Letter from Lord Charles Somerset to Earl Bathurst . . .	283
25 Feb.	Letter from John Barrow, Esqre., to Henry Goulburn, Esqre. . .	284
„	Letter from the Reverend A. Faure to Earl Bathurst . . .	285
4 Mareh.	Letter from Lord Charles Somerset to Earl Bathurst . . .	286
12 Mareh.	Letter from Earl Bathurst to Lord Charles Somerset . . .	286
24 Mareh.	Letter from J. R. Lushington, Esqre., to Henry Goulburn, Esqre.	287
	Enclosure: Treasury Minute	287
27 Mareh.	Letter from Earl Bathurst to Lord Charles Somerset . . .	289
„	„ „ „ . . .	289
28 Mareh.	Return of Export of Wine	290
„	Return of Duties paid in Great Britain on Cape Wine . . .	291
7 April.	Letter from Thomas Laek, Esqre., to Henry Goulburn, Esqre. . .	292
12 April.	Letter from Earl Bathurst to Lord Charles Somerset . . .	292
14 April.	Imports from the Cape into Great Britain	293
„	Exports from Great Britain to the Cape Colony	294
16 April.	Letter from Earl Bathurst to Lord Charles Somerset . . .	295
18 April.	Advertisement concerning Conferenee with Gaika	295
19 April.	Letter from Earl Bathurst to Lord Charles Somerset . . .	299
20 April.	„ „ „ . . .	299
23 April.	Letter from Captain Cloete to Lord Charles Somerset . . .	300
24 April.	Letter from Lord Charles Somerset to Earl Bathurst . . .	303
	Enelosures: Arrangements with Gaika	309
29 April.	Letter from Earl Bathurst to Lord Charles Somerset . . .	325
5 May.	Letter from the Landdrost of Graaff-Reinet to the Colonial Secretary	325
8 May.	Letter from Lord Charles Somerset to Earl Bathurst . . .	328
	Enclosure: Letter from Major General Hall to Lord Charles Somerset	329
9 May.	Letter from Lord Charles Somerset to Earl Bathurst . . .	330
16 May.	Letter from Lord Charles Somerset to Henry Goulburn, Esqre. . .	330
	Enclosure upon Expenditure by the Duteh Government . . .	332
„	Letter from the Reverend Dr. Jones to Earl Bathurst . . .	333
17 May.	Letter from Lord Charles Somerset to Earl Bathurst . . .	334
	Enelosure concerning the Colonial Seeretaryship	339
19 May.	Letter from Lord Charles Somerset to Earl Bathurst . . .	340

DATE		PAGE
1817		
19 May.	Letter from Lord Charles Somerset to Earl Bathurst . . .	344
	Enclosures concerning charges made by Mr. R. B. Fisher . . .	345
7 June.	Letter from Lord Charles Somerset to Earl Bathurst . . .	350
9 June.	" " " " " " . . .	351
13 June.	Letter from Earl Bathurst to Lord Charles Somerset . . .	352
18 June.	Letter from Lord Charles Somerset to Earl Bathurst . . .	353
"	" " " " " " . . .	353
19 June.	Letter from Earl Bathurst to Lord Charles Somerset . . .	354
21 June.	Letter from Lord Charles Somerset to Earl Bathurst . . .	354
23 June.	" " " " " " . . .	357
25 June.	Return of Troops in the Garrison . . .	359
19 July.	Letter from Lord Charles Somerset to Earl Bathurst . . .	359
25 July.	Letter from Lord Charles Somerset to Sir Henry Torrens . . .	361
"	Return of Troops in the Garrison . . .	363
28 July.	Letter from Earl Bathurst to Lord Charles Somerset . . .	363
30 July.	" " " " " " . . .	364
8 Aug.	Proclamation by Lord Charles Somerset . . .	365
10 Aug.	Letter from Earl Bathurst to Lord Charles Somerset . . .	367
15 Aug.	Letter from Lord Charles Somerset to Earl Bathurst . . .	368
16 Aug.	" " " " " " . . .	368
18 Aug.	" " " " " " . . .	368
	Enclosure : Letter from Count Las Casas . . .	371
20 Aug.	Letter from Earl Bathurst to Lord Charles Somerset . . .	372
25 Aug.	" " " " " " . . .	372
"	" " " " " " . . .	373
Aug.	Memorandum by Mr. James Callander . . .	374
9 Sept.	Letter from Lieutenant Colonel Bird to the Reverend Mr. Hough . . .	375
10 Sept.	Letter from Lord Charles Somerset to Sir Henry Torrens . . .	379
12 Sept.	Letter from Lord Charles Somerset to Earl Bathurst . . .	379
13 Sept.	" " " " " " . . .	380
	Strength of the new Colonial Corps . . .	381
"	Letter from Lord Charles Somerset to Earl Bathurst . . .	382
15 Sept.	Letter from Henry Goulburn, Esqre., to Lord Charles Somerset . . .	384
"	Letter from J. Beckett, Esqre., to Lord Bathurst . . .	384
17 Sept.	Letter from Lieutenant Colonel Bird to the Reverend Mr. Hough . . .	385
	Circular Letter issued by the Colonial Office . . .	388
22 Sept.	Letter from Henry Goulburn, Esqre., to Lord Charles Somerset . . .	389
25 Sept.	Return of Troops in the Garrison . . .	389
4 Oct.	Letter from W. J. Burchell, Esqre., to Earl Bathurst . . .	390
10 Oct.	Letter from Lord Charles Somerset to Earl Bathurst . . .	391
"	" " " " " " . . .	393
	Enclosure : Proposed Increases of Salaries . . .	396
17 Oct.	Letter from Captain Jones to Rear Admiral Plampin . . .	397

DATE		PAGE
1818		
13 Feb.	Letter from Deputy Secretary Bird to the Comptroller of Customs	460
20 Feb.	Letter from Lord Bathurst to Lord Charles Somerset	461
26 Feb.	Letter from Captain José dos Santos Ferreira to Lord Charles Somerset	461
27 Feb.	Proclamation by Lord Charles Somerset	462
„	Letter from the Comptroller of Customs to the Deputy Colonial Secretary	464
4 March.	Letter from Henry Goulburn, Esqre., to Lord Charles Somerset	465
11 March.	Letter from the Deputy Colonial Secretary to the Comptroller of Customs	466
12 March.	Letter from Lord Charles Somerset to Earl Bathurst	466
14 March.	Letter from Henry Goulburn, Esqre., to Mr. D'Escury	468
18 March.	Letter from the Colonial Secretary to the Collector of Customs	468
31 March.	Letter from Rear Admiral Plampin to Lord Charles Somerset	469
8 April.	Letter from Lord Charles Somerset to Earl Bathurst	470
15 April.	Letter from Sir Henry Torrens to Henry Goulburn, Esqre.	471
20 April.	Letter from Messrs. Harvey & Nicholson to Earl Bathurst	471
21 April.	Letter from Earl Bathurst to Lord Charles Somerset	473
„	Letter from Henry Goulburn, Esqre., to Lord Charles Somerset	473
30 April.	Letter from Earl Bathurst to Lord Charles Somerset	474
	Letter from the Comptroller of Customs to the Colonial Secretary	475
1 May.	Letter from the Colonial Secretary to the Fiscal	477
2 May.	Letter from the Fiscal to the Colonial Secretary	477
3 May.	Letter from Earl Bathurst to Lord Charles Somerset	480
4 May.	Letter from the Colonial Secretary to the Collector and the Comptroller of Customs	481
5 May.	Letter from the Colonial Secretary to the Comptroller of Customs	482
„	Letter from the Comptroller of Customs to the Colonial Secretary	482
6 May.	Letter from Earl Bathurst to Lord Charles Somerset	483
„	Letter from the Collector and the Comptroller of Customs to the Colonial Secretary	483
8 May.	Letter from Lieutenant Colonel Bird to Earl Bathurst	484
9 May.	Letter from Lord Charles Somerset to Earl Bathurst	485
11 May.	Memorandum by the Chief Justice	486
12 May.	Letter from Earl Bathurst to Lord Charles Somerset	488
„	Letter from Lord Charles Somerset to Earl Bathurst	489
„	„ „ „ „	490
„	„ „ „ „	491
	Enclosures concerning the Marriage Laws	491

RECORDS OF THE CAPE COLONY.

[Original.]

Letter from VICE ADMIRAL TYLER to J. W. CROKER, ESQRE.

Medway, SIMONS BAY, 15th November 1815.

SIR,—I request you will inform the Lords Commissioners of the Admiralty that I have just received a dispatch from Rear Admiral Sir George Cockburn, acquainting me of his arrival at Saint Helena, with General Napoleon Buonaparte, and of his appointment to the command of this station.

You will be pleased to represent to their Lordships, that the moment the ships named in the margin arrive from the Mauritius, which I expect early in December, I shall lose no time in proceeding to St. Helena; and having given up the command to the Rear Admiral, return home with the said ships, in obedience to their Lordships' former orders. Conformably to the arrangements signified in my letter No. 75, of the 25th Ultimo, the *Ariel* will proceed immediately to England, touching at Saint Helena for Sir George Cockburn's dispatches, and I only detain the *Minden* to convey a part of the supplies of provisions &c., which are much wanted at that Island.

The *Bucephalus* has also arrived from thence, which ship, with the *Havannah*, will return as soon as possible with the remainder of the supplies and the detachment of Troops to be sent from the Cape. I enclose a return of the disposition of the Squadron under my command; and have the honor &c.

(Signed) CH. W. TYLER, Vice Admiral.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, *December 11th 1815.*

MY LORD,—Shortly after closing my late dispatch to your Lordship per *Minden*, an unpleasant disturbance broke out in the Frontier district of Graaff Reinet, which, as it was suppressed as soon as the Magistrate, Lieut. Colonel Cuyler, could arrive at the spot, without bloodshed, there only remains for me to notify the circumstance to your Lordship, and to make you acquainted with the causes which gave rise to it, the views of the misguided and deluded men who were concerned in it, and the steps with regard to them which it is my intention to take.

The Court of Circuit which was instituted by Lord Caledon, among the various benefits which it has been of to the interior of this Settlement, has in no point of view been more essentially useful than in checking the wanton and atrocious conduct of the ignorant and half savage Boers of the Frontier towards their Slaves and the Hottentots in their service, which was previously thereto a subject of just animadversion.

This Annual Circuit had at their late session at Graaff Reinet, the investigation of many alleged cases of the nature referred to, and among others an accusation of ill treatment of a slave by one Bezuidenhout. This man not having appeared to the repeated summonses requiring him to do so, to answer to the charge, it became necessary to cause him to be apprehended; the Court issued a decree for that purpose, and the Magistrate of the District sent the proper Officer to enforce it.

The known ferocious disposition of the man in question induced the Landdrost to take the precaution of directing the Undersheriff to apply to the inferior Magistrate of the remote division where Bezuidenhout resided, for aid, and to address a letter to the officer commanding at that station for military assistance, should it be found requisite. The Under Sheriff having proceeded to the Baviaans River and communicated to the Field Cornet his instructions, received from him a positive refusal of aid, as he said that Bezuidenhout was prepared to resist any attempt to arrest him, and would indisputably shoot them. Under

these circumstances he applied for military assistance, and an officer and some men of the Cape Regiment were given him for this purpose. When they approached Bezuidenhout's dwelling he called to them not to advance farther, and he himself retreated accompanied by 2 others behind a Parapet wall from whence, after calling to the party to leave his premises, he commenced firing upon them. He fired 12 or 14 rounds before the party noticed it, after which they returned his fire, and he with the two men with him retired to a cave in a rock, which it has subsequently appeared he originally intended to do, as he had lodged there a considerable quantity of ammunition. The mouth of this cave could only be approached by one man at a time, but from the top he could be heard and spoken to. From thence he was repeatedly summoned to surrender, which he with violent imprecations refused to do, saying also that they should never arrest him while alive, and that he would shoot many of them before he himself should fall. The Sergeant of the party however approached near to the mouth of the cave, and while Buzuidenhout was in the act of levelling at him shot him dead. His companions surrendered, and were carried prisoners to Graaff Reinet, and it is from the examinations into this business on oath before the Court of Circuit (translations of which accompany this dispatch) that the above statement is collected.

This circumstance, which it might have been expected would have shewn the Inhabitants the futility and danger of opposing the legal authorities, appears to have had a different effect, and to have caused considerable irritation. The brothers of Bezuidenhout used every endeavour to inflame the District (which had been in former times the centre of the disturbances which so long agitated the Country). Seditious letters were sent into the adjoining Districts urging them to rise to expel the British Troops. Deputies were sent into Caffreland to request the aid of that people and offering them the Zuurveld as the recompense of their assistance, and proposing by a simultaneous attack upon all the Posts of the Cape Regiment to extirpate that Corps entirely in one night, and letters were sent to many, threatening them with death and the plunder of their farms if they delayed joining them. One of these (a translation of which is enclosed) fell into the hands of the Deputy Landdrost Van de Graaff, and the consequence was the apprehension of the writer, H. Prinsloo, by which the views of

the party became known. They immediately assembled in arms to the number of about 60, and proceeded to the place where Prinsloo was in custody and demanded his release; this was of course refused, and Major Fraser, whose detachment was very weak, gained time by entering into correspondence with them.

Meanwhile Lieut. Colonel Cuyler joined him, having assembled the Cape Corps and a detachment of about 40 Dragoons with some armed Inhabitants, upon which the insurgents retreated into Caffreland and by that route circuitously towards the Baviaans River where they took post, and where Colonel Cuyler came up with them, with the Dragoons and armed Inhabitants, and after having expostulated with them upon the folly of their conduct, one of their leaders with 18 of these deluded wretches implored mercy and the rest dispersed in different directions.

This affair, which I have so minutely detailed, would not have been calculated to cause much sensation, had it not been for the serious revolts which took place in the same part of the Country under the former Dutch and British Administrations and the apprehension it at first excited of similar consequences possibly ensuing; it is with infinite pleasure, therefore, that I have it in my power to report to your Lordship that the Magistrates of both the interior Districts (of Graaff Reinet and Uitenhage) speak very favourably of the conduct and sentiments of the inhabitants of those Districts generally, with the exception of those of the division called Tarka, where this affair took place, so that similar instances of misconduct are not again to be apprehended, and it is most pleasing to me also to be able to confirm to your Lordship the report I made in my last dispatch of the peaceable disposition of the Caffres towards us, their Chiefs having positively refused their assistance in the present instance, which it appears the insurgents so greatly relied upon, that when they retired through Caffraria as above mentioned, it must have been with a view of meeting the aid they expected, and when the party dispersed upon the surrender of 18, one of the two deputies had just returned to them with the refusal of the Caffres to interfere in their concerns.

While these transactions bore here so serious an aspect as the general rising (as in former times) of a whole population of well armed marksmen, I thought it incumbent upon me to put the strongest authority (viz. a discretional power in the last necessity of proclaiming Martial Law) into the hands of the officer com-

manding on this remote frontier, Lieut. Colonel Cuyler (who is also Civil Magistrate in the Uitenhage District), and I reinforced his detachment with a troop of Dragoons, 2 light field pieces, and 2 Companies of the 83rd Regiment, and when the extent of the affair became known I directed a Special Commission from the Court of Justice to proceed to Uitenhage to take cognizance of these delinquencies.

It does not appear from the examinations and confessions of the prisoners (some of the most material of which are enclosed for your Lordship to refer to if necessary) that they had any grounds of complaint beyond what has been noticed; but accustomed to consider the Hottentot as an inferior species, only preserved for their use, or to be destroyed as they plundered their flocks or herds, or lurked about for those purposes, they are extremely impatient of the restraint the British regulations have put upon them, and it is particularly obnoxious to them to have the Hottentot Regiment among them to enforce those regulations. This is a feeling which pervades not only those who have committed themselves in the present business, in consequence of the death of Bezuidenhout by the hand of a Hottentot, but is very general, and although the Cape Corps has done its duty on this and on every former occasion, and merits my warmest acknowledgments, yet had I a British Battalion with which I could replace it, I would withdraw it from the frontier on account of the prejudices of the people.

I should wish gradually to bring these people to other habits and other feelings, and I am convinced this is not to be done by maintaining among them, to overawe them, a garrison against which from long habit their prejudices are excited. Were the frontier garrisoned solely by British Troops, they would mix and associate with the Boers and gradually form them to their manners. This can never be the case with the Hottentots, for independent of the great distinction between Christian and heathen (which they look upon all Hottentots to be) the difference between Black and White it will take much time to do away in the feelings of this people. I can see no reason why British Infantry and British Dragoons may not by practice become as superior in this service as they have proved themselves in every other, and the only service for which a small proportion of the Native Corps should be retained on the frontier would be to act as guides and to track

the stolen cattle and lurking Caffres, at which they are extremely and accurately expert.

My intentions are to make some examples of the ringleaders herein, after legal conviction, and to remove to another part of the country such as have been most violent or such as shall appear to have formerly been concerned in similar acts of insurrection. With respect to the others, I deem it wiser to consider them as ignorant and deluded men, whom it is my wish to endeavour to civilize rather than my duty to punish with unrelenting severity. I have &c.

(Signed) CHARLES HENRY SOMERSET.

P.S. Since writing the above I have received further intelligence from the frontier, from which it appears that the party which had been dispersed at Slagters Nek not finding themselves secure within the Colony, took the desperate resolution of removing with their families and effects into Caffreland. This intention becoming known, Major Fraser with a detachment of the Cape Regiment proceeded to overtake them, and after having penetrated about 30 miles beyond the frontier came up with them and turned them so as to intercept their passage of a river, a slight skirmish ensued in which the two ringleaders of this disturbance, H. Bezuidenhout and C. Faber, were severely wounded and one Hottentot of Major Fraser's party dangerously so. The rest all surrendered themselves prisoners, so that this affair is now totally at an end. I regret to add that in the act of disposing the Troops to intercept the offenders, Major Fraser had the misfortune to break his arm very badly by a fall from his horse.

Lt. Colonel Cuyler states that he has not found it necessary to act upon the authority I gave him to proclaim (in the last extremity) Martial Law, but that the civil Judicature is amply sufficient for the restoration of order. I cannot close this subject without expressing to your Lordship my sense of the very satisfactory and able manner in which Lieut. Colonel Cuyler and Major Fraser have conducted the unpleasant duties which have fallen to them during these transactions, and I hope that when opportunity shall offer their merits will be considered.

C. H. S.

[Enclosure 1 in the above.]

The same day. Present as above.

The Landdrost of this district informs the Commission that the Undersheriff Johannes Londt, who was dispatched in order to execute the sentence by him, R. O. Prosecutor, obtained from the Commission against Fredrik Cornelis Bezuidenhout, and to bring him to this drostdy, has this moment returned, stating, that said Bezuidenhout with the assistance of one Jacob Erasmus, Jacobus son, and a bastard Hottentot by the name of Hans, had opposed and fired with balls at him and the people who went with him for his aid; and that Bezuidenhout, after all endeavours to take him with them proved useless, was at last shot by a sergeant of the Cape Regiment named Joseph, just when he was aiming his gun at him; and that the two other persons thereupon having surrendered themselves, are brought here under his custody. The said Landdrost requesting therefore the Commission may be pleased to approve of this apprehension.

The Undersheriff of this district, Johannes Londt, 30 years of age, and a native of Holland, having hereupon appeared before the Commission, declared to be the truth and nothing but the truth:

That yesterday 8 days, about 6 o'clock in the morning, the appearer departed from hence, in order, agreeably to an order from the Landdrost, and conformably to a decree of the Commission of Circuit now holding their Session at this drostdy, to apprehend the person of Bezuidenhout;—that about 9 oclock on that morning, he arrived at the place of the Field Cornet Cornelis Johannes Olivier with a written order for him from the Landdrost, to assist him (the appearer) with some men for that purpose; which order having been handed over to the Field-Cornet, who after reading the same, said to the appearer “that he would not expose himself to danger whenever it was not necessary; that the district in which Bezuidenhout resides did not belong to his field cornetcy, and that, as the field cornet Opperman himself had told him, that he had declared to the Landdrost that he would not have anything to do with this affair, he consequently would first go to Graaff Reinet to get a contra order;” in consequence of which the appearer transmitted a letter to the Landdrost and

thereupon, after said Olivier had quitted the place, rode away, being at the same time, on setting off, informed by one Botha, son in law of this Olivier, that the field cornet Opperman would meet him (the appearer) at the place of Christoffel Korf at Buffelshoek.

That on Saturday, the following morning, he arrived at the place of Korf, where he as well waited for further orders from the Landdrost, as for the field cornet Opperman; that about 5 o'clock in the afternoon he received a letter from the Landdrost, when there also came Cornelis Coetzé C.'s son, and another person named Hatting, who told him that the field cornet Opperman had arrived the preceding day at the place of another Cornelis Coetze, where he had put his saddle on another horse and proceeded further, telling them that he would continue riding until he got home.

That the appearer, as he could not get horses that evening, rode from thence the following morning to the field cornet Abraham Gryling, and from there to the military depot of Captain Andrews of the Cape Regiment, where he arrived on Monday morning, and after handing over to him a letter from the Landdrost, requested the same for the assistance of Lieutenant Rousseau, who in consequence gave him a letter for that officer together with one for the Landdrost.

That having hereupon set off to the post of Lieut. Rousseau, to whom, as he was not at home and did not return before 3 o'clock in the afternoon, the appearer handed over the letter from Capt. Andrews, whereupon the said Lieut. Rousseau, together with a sergeant, a corporal and 6 men, repaired to the quarters of Lient. McKay, who, adding 4 of his men, merely accompanied them from inclination.

That having continued their march, they reached the place of . . . Erasmus, where Lieutenant Rousseau ordered his men to halt; that Lieut. Rousseau, the appearer, their servants and a constable proceeded to the place of the field cornet Opperman; where having arrived at 10 o'clock at night, they knocked at the door of said Opperman, who, after the usual salute asked him where the field cornet Olivier was with his people, to which the appearer replied that he had nobody else with him, except the abovementioned gentlemen, whom he had requested to accompany him to Graham's Town; for, he did not think it adviseable to

acquaint him with their object, which only was to ascertain the true situation of the place and the Christian name of said Bezuidenhout, both of which having been unknown to the appearer.

That on learning the Christian names of Bezuidenhout to be Fredrik Cornelis and that his place is situated near that of La Buscagne, they, on their departure, caused the road leading to Grahams Town to be pointed out to them by said Opperman, which having discontinued at some distance from the place, they again proceeded to where they left their people, and having in consequence travelled the whole night, arrived at the place of the said Fredrik Cornelis Bezuidenhout on Tuesday the following morning at 9 o'clock, where, being at a dung kraal they saw a person (supposed to be Bezuidenhout) followed by two more with loaded guns, one of them having even two in his hands, running from the dwelling house towards a natural parapet, formed by some large stones, behind which he Bezuidenhout posted himself, and aiming his gun at them, called out some words, which the appearer, on account of the strong wind, did not hear, but was told to have been "that they should not come nearer but depart again, as he would otherwise fire at them;" that Lt. Rousseau hereupon ordered his men to disperse, and to run up to him with fixed bayonets, adding however "*don't fire.*"

That on advancing about 10 or 12 shots were fired, when Lt. Rousseau, as the same continued too violently, called to his men *to fire*, which they having done, the said persons left that place and (as the appearer and people with him supposed) ran towards the river and hid themselves in a rock thereabouts.

That the soldiers having gone thro' the river in search of them, were fired at from the side where the appearer was standing with Lieuts. Rousseau and McKay in consequence of which Lieut. Rousseau ordered them to attack the rock from this side, which however was not possible, as the entrance of the hole, where they had placed themselves in, was about 10 feet high and turned towards the mountain, so that only one by one could get into it.

That the people being posted around this hole, the appearer thereupon went with Lieuts. Rousseau and McKay upon the rock under which it was, and tho' not able to see him, repeatedly called out to him to surrender, as he was only sent for to vindicate

himself at this drostdy, which he however with the most wanton cursings and swearings refused, saying "that he would not come out, as they will hang or immediately shoot him there." Notwithstanding they on the contrary assured him that no harm would be done him, and that he could take his waggon or horses with him; which proposals lasted about $\frac{1}{2}$ 1 o'clock in the afternoon. That all endeavours to induce said Bezuidenhout to come out of the cavern proving fruitless, Lieut. Rousseau directed his men to storm the place, when Sergeant Joseph, being brave enough to ascend the same, came before the hole to nearly the height of his breast, whereupon his people called out to him "Sergeant he'll shoot you," in consequence of which, as they at the same time aimed at him out of the hole, he discharged his gun at Bezuidenhout and hit him with the ball on the left arm, which penetrating his breast, came out again behind; whereupon the Bastard Hottentot Hans, being also in the hole, cried out for mercy, which was granted him, provided he should come out with the weapons and ammunition; that he having hereupon come out and delivered over his gun, was ordered to go again into the hole, as it was not certain whether Bezuidenhout got immediately wounded.

That however an half hour before, one of the soldiers, while the appearer was standing with Lieut. Rousseau on the rock, called out to them to go aside as they would be fired at, which having done, they discovered, in a separate hole near to this precipice, another person, who, on being called to to come out under promise of pardon, in consequence came out, and delivering his gun over to them, stated himself to be Jacob Erasmus Jacobs son, but who distrusting the statement of the Hottentot of previously fetching the Guns and ammunition out of the hole, again went into it, and brought out with him 2 guns of an extraordinary caliber; whereupon the people, in consequence of an order from their officer having gone into the hole, brought out with them the corpse of said Bezuidenhout, a knapsack containing 20 to 25 pounds of powder, and a quantity of balls.

That having inspected the body, they left it there covered, and quitted the place with said J. Erasmus and the Bastard Hottentot Hans in their custody, when being a distance of about $\frac{1}{4}$ hour's walk from thence, they saw six persons on horseback to him the appearer unknown, 5 of whom appearing to be Christians armed

with guns, and 1 a Bastard Hottentot, that these persons met with their detachment, to whom one of them had asked what shooting it was, whether some Bosjesmen or Caffres were fired at; but that, by order of Lieut. Rousseau, they had gone on without answering these persons, and were afterwards informed by the prisoners that they were Gerrit Bezuidenhout with 4 of his children and a Bastard Hottentot in his service.

That the constable Gerrit Linque, who, on account of his horse being then knocked up, remained a little behind, had afterwards on joining again the detachment, informed them that the 6 persons above alluded to, did also ask him if the Bosjesmen or Caffres had been there, adding that they were sorry for not having been there sooner; but that he however had left them without giving any answer.

That the appearer thereupon conveyed the two prisoners aforesaid to this drostdy, where he arrived this afternoon.

The Court approves of the apprehension of Jacob Erasmus Jacobs son, and the Bastard Hottentot Hans.

Jacob Erasmus Jacobs son, prisoner, hereupon appeared before the Commission, and answered the following questions, proposed to him by the Landdrost of this district, in such manner as is noted down against each.

Art. 1.—What is your name, age, and birth place? *Answer.*—Jacob Jacobus Erasmus Jac^s son, 18 years old, and born at the Coup.

2.—Where did you live last? *Answer.*—I live with my brother Gerrit Fredrik Bezuidenhout, but I lately went with his cattle to the place of his brother Fredrik Cornelis.

3.—How long is it that you have been with said Fredrik Cornelis Bezuidenhout? *Answer.*—One month.

4.—What did you do, when the people came at the place of said Bezuidenhout to fetch him? *Answer.*—Nothing, I stood behind old Fredrik (said F. C. Bezuidenhout).

5.—Why did you thereupon take flight? *Answer.*—The old man (F. C. Bezuidenhout) wanted to shoot me, and therefore I went with him.

6.—Was Bezuidenhout armed when he saw the people come? *Answer.*—Yes.

7.—From where did he first discover them? *Answer.*—He was then out of doors.

8.—Why was he armed for? *Answer.*—That I don't know; he stood already armed near the house and called out to me, who was busy on the land with draining water, to come to him.

9.—Where did you get the gun you had in your hands? *Answer.*—His wife gave it to me.

10.—Why did you fire at these people? *Answer.*—No, I have not fired a shot.

11.—Who fired then? *Answer.*—The Bastard Hottentot Hans and old Fredrik Bezuidenhout.

12.—Why did you not surrender when Bezuidenhout fled towards the rocks? *Answer.*—He ran next to me with his gun cocked and threatened me.

13.—Why did you aim at the officer of the party in order to shoot him? *Answer.*—I did not aim. They called out to us to come out, and on putting my gun out for that purpose, they cried out to go aside.

14.—Did not Bezuidenhout tell you before that he expected to be sent for? *Answer.*—Yes.

15.—Did not Bezuidenhout make any preparations to defend him? *Answer.*—Yes.

16.—Did not Bezuidenhout tell you that, in such case, you must help him? *Answer.*—Yes.

17.—Had you no opportunity of leaving him? *Answer.*—No, I was there all alone, with the cattle of his brother.

18.—Could you not get away from there with the cattle? *Answer.*—I was alone with the cattle and could not alone drive them away.

19.—How then did you come with the cattle so far a distance as from the Melks River towards the place of Bezuidenhout at the Baviaans River? *Answer.*—I was with the cattle at the Daggeboersnek near the Baviaans River.

20.—What other persons were there at the place of Bezuidenhout at that time? *Answer.*—Nobody else than his concubine and a little child of his, the Bastard Hottentot Hans, and a son of Hans Labuscagne of about my size and age, whom he had hired to take care of his cattle.

21.—Had you not, previous to your going thither, any reason to suppose that Bezuidenhout would be sent for? *Answer.*—No.

22.—Did you not expect any assistance from other persons? *Answer.*—No.

23.—Where was the son of Labuscagne when the people came there? *Answer.*—He was in the fields with the cattle.

24.—Did you not hear the officer of these people and the under-sheriff calling out to you to surrender yourselves? *Answer.*—Yes, we did hear it.

25.—Did you not repeatedly hear it? *Answer.*—I only heard it once.

26.—When was it? *Answer.*—Since we were in the rocks.

27.—Did you not hear Bezuidenhout call out at the soldiers that he would fire at them? *Answer.*—Yes.

28.—Which of you fired the first shot? *Answer.*—Old Fredk. Bezuidenhout.

29.—Which of you carried two guns? *Answer.*—Old Fredk. Bezuidenhout.

30.—Who carried the knapsack of powder? *Answer.*—His wife who went with him into the hole.

31.—For what purpose did the 6 persons come whom you met with near the place after you were apprehended? *Answer.*—I don't know.

32.—Where was the girl of Bezuidenhout when they took his corpse out of the hole? *Answer.*—She was then gone already.

33.—How many shots did Bezuidenhout fire? *Answer.*—That I don't know as there were fired from both sides.

34.—How many shots were there fired out of the hole in which Bezuidenhout and the Bastard Hottentot found themselves? *Answer.*—Four shots.

35.—How many shots did Bezuidenhout fire before his being fired at by the soldiers? *Answer.*—That I don't know. The Bastard Hottentot Hans and he, they fired too quickly after each other.

36.—How did the concubine of Bezuidenhout get into the hole? *Answer.*—After Bezuidenhout had fired one shot she ran thither.

37.—Did you immediately know what persons these were who came to fetch Bezuidenhout? *Answer.*—Old Bezuidenhout said, there are the soldiers coming to fetch me.

38.—Did not Bezuidenhout point out this hole before in order to conceal him therein? *Answer.*—No.

39.—When did the wife of Bezuidenhout go out of the hole? *Answer.*—She brought the powder and balls there, and then went again out of it before we ran into the holes.

40.—Did you immediately know the undersheriff Londt? *Answer.*—No, not before I came out of the hole and surrendered myself.

41.—Did you know Lt. Rousseau when his people were approaching the house? *Answer.*—Yes, I then already knew him.

42.—Could you not hear from your hole what had been spoken by the officers and undersheriff with Bezuidenhout? *Answer.*—No.

43.—Have you been in those holes before? *Answer.*—No.

44.—How long have you been in it? *Answer.*—A good hour.

45.—Did not Bezuidenhout speak with Gerrit Bezuidenhout about assisting each other, should he be sent for? *Answer.*—That I don't know. (further) Gerrit Bezuidenhout had only been twice with Bezuidenhout during the time I was there.

The prisoner Hans, a Bastard Hottentot, being hereupon called into court answered the following questions put to him by the landdrost, in such manner as is here noted down.

Art. 1.—What is your name, age, and birthplace? *Answer.*—Hans, I don't know my age (about 22 or 24 years), and I am born in the Zuurveld.

2.—Where did you live last? *Answer.*—At Old Fredrik Bezuidenhout's where I was born and grew up.

3.—What work did you perform there? *Answer.*—Looking after the cattle, and draining water.

4.—What did you do when the people came there? *Answer.*—I was with the oxen; but my master had previously told me that when I saw soldiers or something like them I should immediately come to the house to apprise him of it, which I, on seeing them that morning on a hillock, consequently did; but Bezuidenhout and his concubine had already discovered them.

5.—What did your master do when you came to him? *Answer.*—He then stood with two guns, and Jacob Erasmus with one, in their hands near the house when my master gave me one.

6.—What were you to do with the gun? *Answer.*—My master told me that I should fire at those soldiers.

7.—Did you then fire immediately? *Answer.*—No, when the soldiers came and reached as far as the dung kraal, he called out to them to stop there, and not to come nearer, that he would fire at them; but the soldiers not hearing it on account of the strong wind, constantly advanced, in consequence of which he aimed at

them, and as they thereupon dispersed themselves, immediately discharged his gun, saying to me shoot, and on my hesitating a little, repeated "what do you wait for?" whereupon I then also fired off my gun; he having however told me before that I must not aim at them, and fire aside merely, to make them afraid, and on my saying to him "Master, wait till they are near to the River, let us then speak together," he said No! not nearer.

8.—What did the soldiers then do? *Answer.*—They advanced, and on their approaching too near, we ran towards the declivity of the rocks near the river, thro' which they followed us; and when they came out on the other side, I fired one and he two shots, without hitting them, whereupon we, as they came firing towards us, ran down to the cavity where Jacob Erasmus afterwards remained, and on the people continuing to fire too violently he said to me: let us go to the cleft where the beehive is; ordering us at the same time not to despair or leave him in the lurch. I thereupon went with the old man to that hole, where we having remained for some time, they discontinued shooting and called out to old Fredrik to come out, that they should not fire any more; but to which he replied I'll be damned if I do; whereupon they again entreated him to come out, that he could take his waggon or horses with him; which I also prayed him to do, but which he entirely refused, saying "why if I come out, they will hang me. Shoot me, when you kill me you'll get me into your hands." That afterwards a sergeant came near to the hole, who, on my master asking who he was, answered Joseph, and requested if he might come to him, which my master refused, saying No, stay away from before the muzzle of my gun; whereupon Joseph replied "Master Fredrik, lay your gun down, I will also do the same with mine, and let us speak together," to which he answered "I speak no more, stay away from me." I then also said to him, Master let us go out if you please, whereupon he answered him "I'll come out, but you must go on the other side of the Dung kraal, then I'll send for my horses and ride with these three gentlemen alone to Frans Labuscagne," in consequence of which I said "Master, let me go to fetch the horses" (I then only wishing to get away from him) but he replied "No, stop here, not a pace from here." Joseph hereupon asked him if he would swear that he should ride with them, which he also did, saying that he would ride to Labuscagne and there request two men to go with him in company

of these gentlemen to Graaff Reinet, adding that these gentlemen should also swear that they would not take hold of him; which Joseph having communicated to them, they said, "Upon my soul," whereupon he replied "Upon my soul is not swearing, they must make an oath as I did," in consequence of which they again repeated *Upon my soul*, to which he answered "No: I see already that you will catch me. I shall not come out of the hole; if you shoot me, then you can get me, now I'll not say a word more," which he also did. I then said to him "Master, let us go out," but he answered "No, I will not go out," and thereupon remained silent notwithstanding he was spoken to by them. And the soldiers now beginning to come round, there fell a stone upon my arm, whereupon I got up and wanted to run behind that stone to conceal myself, when he also standing up to follow me, fell down again by a fall of a stone on his forehead, and on his trying to rise for a second time, received a shot in the left arm, penetrating his breast and thro' his right shoulder blade, in consequence of which he called out "Boy! my arm is off!" and fell down, whereupon I ran out, requested pardon, and surrendered myself to the soldiers, who afterwards brought the corpse out of the hole.

9.—When Bezuidenhout was in the hole, did he not aim at Sergeant Joseph? *Answer.*—He did not aim at him, but kept his gun in readiness, and lurked thro' the bushes around us, which more and more began to move; and when he, thus holding his gun near the shoulder, wanted to get up in order to follow me, the stone rolled down on his head, whereupon he, rising again and by this movement getting above the cavity, received the shot.

10.—What did you make with so much powder and balls in the hole? *Answer.*—When I came from the cattle to him, his wife had then already brought the same there.

11.—Where was the son of Frans Labuscagne at that time? *Answer.*—He was with the cattle.

12.—Did he not afterwards come to you? *Answer.*—No.

13.—Did Bezuidenhout, longtime before prepare himself for resistance? *Answer.*—Yes.

14.—How long before did he tell you to look out if people were coming? *Answer.*—He told me 2 days before in the evening when he returned home from Labuscagne and others of his neighbours whom he had visited.

15.—Did Bezuidenhout also give the same orders to the son of

Frans Labuscagne? *Answer.*—That I don't know, I have not heard it.

16.—As 4 guns had been used by 3 persons, who then of you fired with two? *Answer.*—The wife of old Fredrik brought the fourth gun with the powder and balls from the house to the hole.

17.—What oath did Bezuidenhout make? *Answer.*—He said verily —, he told us that if we ran away from him he would directly shoot us.

Done at the Drostdy of Graaff Reinet, day and year as above.

In my presence.

(Signed) H. CLOETE, Lson, Secretary.

[Enclosure 2 in the above.]

Monday the 16th October 1815.

Present as before.

The Landdrost of the district requested to amplify his criminal statement with the case No. 15, the Landdrost R. O. Prosecutor *contra* Jacob Jacobus Erasmus, J son, and the Bastard Hottentot Hans, prisoners in a case of having fired at a detachment dispatched for the assistance of the district undersheriff in apprehending F. C. Bezuidenhout.

The Court: fiat.

In consequence of which, there was brought before the Commission the case No. 15, the Landdrost R. O. prosecutor *contra* Jacob Jacobus Erasmus, J son, and the Bastard Hottentot Hans, prisoners for having fired at a detachment dispatched to assist the undersheriff of this district in apprehending F. C. Bezuidenhout.

The R. O. Prosecutor, exhibiting his case, states:

Worshipful Gentlemen, Whereas the execution of your Worship's sentence of the 5th instant having required military assistance, I thought it essential to state to you on this occasion the inevitability of that measure. More than two years, as is evident from the trial of the case No. 14 of the Landdrost R. O. Prosecutor versus Fredrik Cornelis Bezuidenhout, every exertion has been used to make him appear either before Landdrost and Heemraden or the deputy landdrost of the district, but all

amicable measures proved fruitless; and Bezuidenhout, who, on account of the locality of his residence near the frontiers, considered himself independent of the Laws, not only obstinately refused to obey all orders which from time to time were given him by the Field Cornet, as magistrate, but moreover, (as the latter had often informed me) most furiously threatened him. The district messengers, sent off from time to time to summon him, met with so gross insults that they considered it of the greatest danger when they were to repair thither; and as all such wanton extravagancies were committed with a sure confidence that he could not be forced from his abode, and that he, whenever necessity might require it, could take refuge beyond the boundaries of the Colony, I finally thought it of an indispensable necessity to shew that Government, however condescending, never would suffer the laws to be violated in such manner, and therefore brought the case before Your Worships, the consequence of which was that said Bezuidenhout had been condemned to be committed to prison for the term of one month.

I thereupon immediately directed the Undersheriff to proceed to the Baviaans River for the purpose of apprehending him, and being informed by the Field Cornet Opperman that he had prepared himself violently to oppose all such measures, I ordered the said Field Cornet to accompany and, if necessary, to assist him, who thereupon declared to me, with greatest terror, that his life would thereby be exposed to danger, as he was sure that Bezuidenhout would take revenge whenever he got sight of him and that he would certainly shoot him.

But tho' this appeared to me rather incredible, yet I, for the sake of prudence directed the Field Cornet Cornelis Johannes Olivier by letter of the 5th instant, which I gave to the Undersheriff, to accompany the same with some of his inhabitants, and, in case of necessity, to assist the Undersheriff in the execution of his orders, but whereas a general fear for said Bezuidenhout seemed to prevail, and as his residence so near to the frontiers and neighbouring Caffre Kraals, made him undoubtedly dangerous, I moreover gave the Undersheriff a letter for Captain Andrews of the Cape Regiment, dated the 5th instant, which, together with the one addressed to the Field Cornet Olivier, I herewith have the honor to exhibit to your Worships, to the latter of which I ordered the bearer not to resort, unless want of other measures for the

execution of his orders should compel him thereto, with further positive directions to take particular care that the object be not frustrated, as every authority would in consequence be rendered disrespectful.

The Field Cornet at the receipt of my letter, instead of directly complying with the orders therein contained, thought it an undertaking of so dangerous a nature that he without delay addressed himself to me, requesting to be excused from that charge. I however directed him to return and to comply with his instructions, which he consequently undertook; but as on his return, the fall from a horse prevented him from performing anything, there was no other means of recourse left for the Undersheriff than of going on and making use of the letter to Captain Andrews. Wherefore I have now to commence a criminal prosecution against the prisoners Jacob Jacobus Erasmus, and the Bastard Hottentot Hans.

And having finally only to refer to the deposition of the Undersheriff, and partly to the trial held on last Saturday, I beg to request that the evidence of the Constable Gerrit Linque might be taken in presence of the prisoners; and further to exhibit:

1. A letter from the Landdrost to the field Cornet Cornelis Joh^s Olivier, dated the 5th of October, of the following tenor:

FIELD CORNET!—By virtue of a sentence this day pronounced by the Commission of Circuit, I find myself under the disagreeable necessity of dispatching the Undersheriff of this district to the Baviaans River, for the purpose of bringing an inhabitant of this district by the name of Fredrik Cornelis Bezuidenhout to this drostdy; I have therefore to direct you to accompany the said Undersheriff with 4 or 5 of the inhabitants in your ward, in order, if necessary, to assist him in executing the orders with which I have charged him.

Should Bezuidenhout give himself over willingly, you are then only to remain alone, while in case of resistance you'll have to attack him by force and cause him to be brought hither.

Your good friend,

(Signed) A. STOCKENSTROM, Landdrost.

To the Field Cornet
CORNS J. OLIVIER.

2. A letter from him (landdrost) to Captain Andrews of the Cape Regiment, dated the 5th October 1815.

GRAAFF REINET, *October 15 1815.*

SIR,—In consequence of a sentence spoken by the Commission of Circuit at this drostdy this morning, I am under the necessity of dispatching the Undersheriff of this district to the Baviaans River, to seize an inhabitant of this district called Fredrik Cornelis Bezuidenhout; but as different informations have led me to suspect that said Bezuidenhout would undertake to oppose himself to these legal proceedings, I am obliged to call upon you and request that in case said undersheriff should meet with such conduct on the part of said Bezuidenhout as would make him unable to execute the orders he has received, and he should apply to you for military assistance, that you may be pleased to grant it, in as far as you think necessary to co-operate with the civil power in this case of necessity. I have etc.

(Signed) A. STOCKENSTROM, Landdrost.

CAPTAIN ANDREWS,
Cape Regiment.

The Court accedes to the request made by the Landdrost.

The Constable Gerrit Lenke, 38 years of age and a native of Hungary, appearing in Court, declared to be the truth:—

That he had accompanied the Undersheriff of this district in order to arrest the late Bezuidenhout aforesaid, who, on their being about 3 or 400 paces from his place, began to fire at them, whereupon Lieut. Rousseau, who commanded the detachment, called out to him that he must not fire, and that they did not come to shoot him. That as Bezuidenhout notwithstanding continued firing at them, said Lieut. Rousseau ordered his detachment to run to, whereupon Bezuidenhout fled towards a rock near the River, where the detachment followed him, and as he did not cease shooting, they also fired at him, in consequence of which he retired into a hole of that rock where Lieut. Rousseau repeatedly called out to him from 9 o'clock till $\frac{1}{2}$ after one of that day to come out and surrender himself, which he refused, saying that "he would not surrender as long as he lives, that he knew that he would be sent for, and had therefore prepared himself, and that nobody must come before the hole as he would shoot everyone," while he

constantly fired towards the banks of the River and at last towards the top of the rock on which Lieut. Rousseau was standing, whereupon he aimed his gun again at the soldiers who were advancing, in consequence of which two shots were fired at him by the sergeant and a private named David of the Cape Regiment, that everything being hereupon silent in the hole, the appearer said to Lieut. Rousseau that Bezuidenhout was certainly dead, whereupon the Bastard Hottentot Hans coming out of the hole, surrendered himself and was taken prisoner, that afterwards the body of Bezuidenhout together with 2 guns, a number of balls, and a great quantity of powder had been taken out of the hole, the corpse being wounded on the right elbow, penetrating thro' the breast and left shoulder blade.

That having a little time before discovered the prisoner Jacob Erasmus in another hole above that of Bezuidenhout's without his however firing at them, he the appearer, as he had known him from his childhood, earnestly entreated him to come out and that no harm would be done to him; whereupon he, untying his bandolier, and giving over his gun to the appearer, came out and surrendered himself.

Questions by the R. O. Prosecutor:—

1. Did the prisoner Jacob Jacobus Erasmus fire at you?—He first stood behind the stones near the house, next to Bezuidenhout with whom he went to the rock where he had surrendered himself and when he gave his gun over to me I looked at it, and found that no shot had been fired out of the same.

2. Where were you when a shot had been fired at Lieut. Rousseau by Bezuidenhout?—I stood next to him on the rock.

3. Could Bezuidenhout see you?—If he had come a little out of the hole he could see us.

4. How many shots were there fired by Bezuidenhout and his party, before the detachment did shoot at him?—That I don't know, but many shots.

5. How many shots did Bezuidenhout fire out of the hole?—Also many, but I did not count, as they fell from both sides.

6. What way did the balls discharged by Bezuidenhout fly to?—At first when we were in the River they went over us; but afterwards in different directions near us, and one of them almost struck the Undersheriff.

7. How do you know of a shot having almost struck the Undersheriff?—I then was so far from him as from hence to the street (about 10 paces) and saw the ball strike against a rock near by.

Further questions by the Commission :—

8. Did both the last balls that were fired at Bezuidenhout hit him?—He had a shot in his arm, thro' his right breast, penetrating his left shoulder-blade; but whether the same had been occasioned by one or two balls I don't know.

9. In what position did you see the corpse?—I went to the corpse, which was laying on its back, and after having shewn the wounds to the Undersheriff who was standing near me, covered it again.

10. Where are at present the guns and ammunition which you had found with Bezuidenhout?—At Capt. Andrews, to where we afterwards returned.

11. Who went with you and the Undersheriff from the place of the field cornet Olivier?—Nobody.

12. Who went with you from the place of the field cornet Opperman?—Nobody.

13. Did you examine the gun of J. Erasmus, out of your own accord, or at his request?—On his surrender, he said that he did not fire a shot at us, in consequence of which I looked at the gun and found that the same had not been fired with.

14. Did you also examine the pan of the gun?—Yes, and the powder was still in the pan, which I threw out, and gave to Lieut. Rousseau.

15. Did you hear on the road from hence thither that Bezuidenhout would make any resistance?—No, for we did not tell to anyone on the road where we were going to; and when the farmers on the road asked us whither we went, we said that we were patrolling.

16. Had you, or the Undersheriff, any guns with you?—Londt had nothing but his dagger, and I my sambok.

17. Are you certain that everything had been tried to get hold of Bezuidenhout alive?—Yes, he said that he must be first dead.

18. Did any stones roll down?—Yes; the soldiers rolled two stones down to the hole.

19. Are you willing to verify this statement upon oath, whenever required thereto?—Yes.

The R. O. Prosecutor hereupon says that there are at present no other witnesses in this case at the drostdy who could be heard, and therefore requests to proceed to the revision of the evidences.

The Court: fiat.

The Undersheriff J. Londt hereupon appearing in Court declared, after the revision of his deposition, to persist therein, adding that after he had been a little time at the place of the field cornet Olivier, there also came the field cornet Opperman, who, after having spoken with said Olivier apart, came to him (the appearer) who was then writing a report for the Landdrost, saying that he did not think to be able to assist the appearer, but that he (appearer) could await him at the place of Korf. (And further) that the gun of J. Erasmus, on his saying that he did not fire, was examined, which from all appearance of the barrel and cock did not seem to have been discharged.

Whereupon the appearer answered the following questions of the R. O. Prosecutor:

1. Did you hear on the road that Bezuidenhout would undertake some resistance?—From nobody else except from the field cornets Opperman and Olivier, the latter of whom had told me that he would not make any scruple to kill himself, and that he would leave behind an unfortunate family; and the field cornet Opperman said that night that it was not advisable to ride alone to Bezuidenhout; in which conversation however I did not further interfere, in order not to discover our intentions.

2. Are you sure that the wounds in the corpse of Bezuidenhout had been got on the left arm?—Yes, it was thro' his left arm near the elbow, and penetrated his heart and left shoulder blade.

The witness Gerrit Linke being hereupon heard, says: that they stood at the feet of the corpse which was laying on its back, and that the wounded arm was just over his (the appearer's) right arm.

The prisoner Hans says: that Bezuidenhout received the wound thro' his left arm, just when he rested the gun thereon against his right shoulder.

3. What did you do with the arms and ammunition of Bezuidenhout?—We gave them all over to Captain Andrews.

4. Are you sure that nothing had been left untried to get hold of Bezuidenhout alive?—Yes, we waited so long that we got at last afraid that the night would overtake us there, and that the Caffres or other of his friends would come for his assistance.

5. Had you any reason to presume that he would get assistance from the Caffres, or others?—We merely thought so, and the people approached the hole not with any intention to shoot him there, when the sergeant, on perceiving he was aimed at, discharged his gun to save himself.

6. Had the constable and you also any weapons with you?—I had on my horse a pair of pistols, but on the rock I got only my dagger.

7. Did the prisoner Hans remain all the time in the hole with Bezuidenhout?—I think yes, for he could neither get in, nor out of it, without being overtaken.

The prisoners having declared to have nothing to propose to the appearer, who, in consequence, for the confirmation of the truth, spoke these solemn words So help me God Almighty!

2. Gerrit Linke (constable) being in court declared, after his deposition had been previously read to him, to persist thereby, with the alteration appearing in the revision of the declaration of the undersheriff Londt, and thereupon answered the following question of the Commission:

1. Did the prisoner Hans remain all the time in the hole with Bezuidenhout?—All the time as long as he was alive.

Whereupon the appearer, as the prisoners declared that they had nothing to ask him, confirmed the truth hereof, speaking these solemn words So help me God Almighty!

The Court postponed the further trial of this case until Lieut. Rousseau shall have given his evidence.

Done at Graaff Reinet, day and year as above.

In my presence.

(Signed) H. CLOETE, Lson, Secretary.

[Enclosure 3 in the above.]

Criminal.

Saturday, October 21st 1815.

Present as before.

The Landdrost having stated that Frans Rousseau, witness in the case of him, R. O. prosecutor versus Jacob Jacobus Erasmus,

Json, and the Bastard Hottentot Hans, prisoners, is now present here, the trial of the case No. 15 was thereupon continued.

The landdrost R. O. prosecutor *contra* Jacob Jacobus Erasmus, Json, and the Bastard Hottentot Hans, prisoners in a case of having fired at a detachment dispatched to assist the Undersheriff of this district in arresting the person of F. C. Bezuidenhout.

The witness Frans Rousseau, 26 years old, born in this colony, and Lieutenant in the Cape Regiment, appearing in Court, declared to be the truth:—

That on the 9th of this month he was ordered by Captain Andrews, of the same Corps, to assist the Undersheriff in apprehending the said F. C. Bezuidenhout, at whose place he arrived on the 16th following at 8 o'clock in the morning; when coming at a distance of about 400 paces from the house, the said Bezuidenhout with the 2 prisoners ran from the house towards a stony Hill near by, from where they called out to him (the appearer) not to come nearer, as he would fire at them, which he at the moment also did. That notwithstanding that the appearer advanced with his soldiers, when 12 shots having been fired at them, he ordered his men also *to fire*; in consequence of which Bezuidenhout and the prisoners retreated behind some stones, from where they continued shooting, and afterwards perceiving that the soldiers were constantly approaching, they retired towards a rock from which they also continually fired.

That the appearer thereupon went on the rock under which Bezuidenhout found himself, and called to him, in the most friendly terms, to surrender, that no harm would be done to him, but that he might ride on horseback or accompany them with his waggon, which offer having been repeatedly made to Bezuidenhout, who finally answered that the appearer must go with his detachment to Labuscagne, where he would meet them.

That these offers had been repeated to him for 3 hours, till that the appearer at last threatened him that if he did not come out, he would bring him out dead or alive with his soldiers; to which he replied "that the appearer might do it, but that it would first cost the lives of many another." That shortly afterwards, J. J. Erasmus, now detained, on being fired at, immediately came out and surrendered himself, that the appearer hereupon again made the same offers to Bezuidenhout, and as he replied that he would not give him over, but shoot the first soldier coming to

him, divided his men into two parties, and ordered the same to go into the rock from both sides. That sergeant Joseph being the first in advancing, was in consequence fired at by Bezuidenhout, who aiming at him for a second time, was shot by a soldier that stood on the right side of the rock. Whereupon the prisoner Hans surrendered himself, and that there were there found 4 guns and a large quantity of powder.

The appearer having further answered the following questions of the R. O. Prosecutor :

1. Were the shots which had been fired from the side of Bezuidenhout also aimed at you? Yes, they fell about 3 or 4 paces from us.

2. Did the balls fall before or did they pass you? They fell between me and a soldier standing near me, and went in all directions.

3. Did you also see who fired? No.

4. Are you certain that Bezuidenhout himself had fired? Yes, he and the Bastard Hans. Bezuidenhout *alone* had two guns, and the shots fell 3 by 3. (further) The soldiers told me that Bezuidenhout and the prisoner Hans were those who fired, as I did not know any of them by sight.

5. When you were advancing did you also speak to Bezuidenhout? No, when he came out, he directly ran towards the stony hill.

6. How many men had you with you? Ten.

7. Has there any order been given to your people to fire at Bezuidenhout? Yes, if he did not surrender or fire at them, they should also do the same.

8. When was the order given by you? After he had fired 12 shots at us.

9. Are you sure that it would otherwise have been impossible to get Bezuidenhout? It was impossible, as the rock was so that but one could ascend it and then even with the greatest difficulty.

10. What did the orders which you received from Captⁿ. Andrews contain? To assist the Undersheriff of this district in arresting the said Bezuidenhout.

11. Did you see the corpse of said Bezuidenhout? Yes.

12. Where did he receive the wounds? He had two holes in his body, one near the right breast and another on the back part

of the left shoulder, which he got by a shot just when he was aiming his gun at Sergeant Joseph.

13. Was not any of his arms hurt? That I did not particularly take notice of,—but one of his arms, as I am told, was also hurt.

14. Where are at present the guns and ammunition which you found there? These I delivered over to Captain Andrews together with the prisoners.

15. Had you any reason to suppose that, at that time, there were any Caffres in the neighbourhood? I heard from my soldiers that the prisoner Hans had told them that he had been sent there, in order to state to them in the name of Bezuidenhout, that, at our arrival, they must separate themselves, and I myself saw a fire which, it is said, they had made.

16. What reason had you to suppose that that fire had been kindled by the Caffres? I found 2 Caffre baskets near the fire, which was about 1000 paces from the house.

17. Had you any grounds to think that the prisoner in this case had been forced by Bezuidenhout to assist him? This they both declared immediately after their being apprehended.

18. Did you also examine the gun of the prisoner J. Erasmus after his surrender? No.

19. Do you think that it might have been possible for one of the prisoners to surrender to your detachment, without running the risk of being shot by Bezuidenhout? They were with him, and he could have done so had he wished it.

20. Do you know of anybody having seen, after the apprehension of J. J. Erasmus, if his gun had been fired with? No, that I don't know.

21. Did the prisoners J. J. Erasmus and Hans, subsequent to their surrender, behave themselves quiet? Yes, without causing the least trouble to us.

Further questions of the Commission :

22. Did the shots 3 by 3 fall so that it was possible of doing the same with less than 3 guns? They followed each other with such intermissions that it was possible to fire these 3 shots with 2 guns; but then they must be loaded very quick.

23. Did you find at that place anybody more besides Bezuidenhout and the two prisoners? Nobody else, except a female.

24. What did you intend by dividing your people in two

columns? I thought that he, on seeing them come up from both sides, would then surrender himself.

25. Did you see Bezuidenhout aim his gun at Sergeant Joseph? No, I was afterwards informed of it.

26. Were you standing on the rock in such manner that you could see where Bezuidenhout and the 2 prisoners found themselves? I could see the places very well, but not their persons.

27. How did it happen that the prisoner J. J. Erasmus surrendered himself to you without his being fired at by Bezuidenhout? He was then in a separate hole.

28. Where were the Undersheriff and constable during this occurrence? At the commencement of the firing they remained a little behind; but came afterwards to me on the rock.

29. Were they also armed? No, they had nothing but their swords.

30. Did anyone of them speak with Bezuidenhout? Yes, the Undersheriff Londt, who also requested him to come out and to go with him.

31. Did the Undersheriff and constable use every means in their power to take Bezuidenhout without force? Yes, everything.

32. Did Bezuidenhout also swear or use any passionate words? He said, I'll be damned if I surrender.

33. Did you meet any persons on your return from that place? Yes, a Bezuidenhout, brother to the one killed, whose Christian name, I think, is Gerrit, with 4 others more.

34. Did you also speak to them? They asked what there had been fired for, whether any Caffres or Bosjesmen had been there, whereupon I, without giving any answer, ordered my men to go on with the prisoners; while these persons still followed them to the place of said F. C. Bezuidenhout.

35. How long was it that Bezuidenhout, after he had called out to you not to come nearer, did receive the shots? About 4 hours, but this I cannot state with any certainty.

Further questions of the Commission to the prisoner Hans:—

1. Who made the fire at about 1000 paces from the house, where the 2 Caffre baskets had been found? The Caffres.

2. What message did you bring to them in the name of F. C. Bezuidenhout? He told me that I should go and tell them that they must take themselves off as soon as possible, which I consequently did.

3. How long have those Caffres been there? They came to me and the son of Labuscagne in the fields, on the afternoon of the preceding day, when we told them that they should get away from the cattle, which they also did, and when we drove the cattle home in the evening, we found them near the house, whereupon my master desired me to tell them in his name to go away from his house, which having done, they said to me that they were hungry. I then again told them in my master's name that he had nothing to eat for them, and that they must not remain that night near his kraals; in consequence of which they went off to the other side of the river, at some distance from the house, where they made their fire and slept.

4. When did Bezuidenhout desire you to go and tell them that they must speedily quit the place? Just when this officer was passing with his men thro' a little river, which lays as near to the house as from hence to the passage (about 600 paces) from where we saw them coming.

5. How many Caffres were there? Six females and 5 or 6 males (further) there were also six male Caffres.

6. From whose kraal were those Caffres? From Captn. Olella. I knew these Caffres.

7. Did you also expect more Caffres? They had not been with us for a long time, since we had fired at the people of the son of Captn. Jaloesa named Pielta; because one of them had been in our cattle kraal; but at present there are many Caffres wandering in that district, coming to our neighbour Labuscagne and the places of Fourie and Gerrit Bezuidenhout.

Whereupon having proceeded to the revision of the deposition this day given, there appeared in Court

Frans Rousseau, to whom his aforesaid declaration and answers being clearly and distinctly read, he declared to persist therein, with this alteration however: that he could not very well see if J. J. Erasmus had come out of a separate hole, or out of that in which Bezuidenhout was, but that he came out of the same rock; further answering the following question put to him by the Commission:

1. How many shots, altogether, do you suppose there had been fired from the part of Bezuidenhout? That I cannot fix, but whenever a soldier came in sight, he was fired at.

The prisoners having declared not to have anything to propose,

the appearer hereupon, for the confirmation of the truth of what he had related, spoke these solemn words :

So help me God Almighty!!

The Court declaring the investigation of this case to be closed, doth desire the Prosecutor to make, without loss of time, such claim and conclusion as to him shall seem meet.

The R. O. Prosecutor in consequence says :

Worshipful Gentlemen,—The R. O. Prosecutor having heard the trial in this case, and what has been alledged by the Prisoners in their defence, is humbly of opinion that it is very probable that the prisoners were forced by the late F. C. Bezuidenhout to assist him in his opposition, and that they would have endangered their lives had they separated from him, or surrendered themselves to the detachment after having once joined him, and therefore conceives that, tho' the 1st prisoner Jacob Jacobus Erasmus, who was apprized of the wicked intentions of Bezuidenhout, ought before to have parted with him, yet that he, the prisoner, has already been sufficiently punished for his imprudent conduct by his apprehension and confinement, the more as it did not appear that he had fired any shot. Wherefore the R. O. Prosecutor declares to have no objection to the prisoner being released from his confinement and acquitted from all further legal prosecution in this case. But as the second prisoner, the Bastard Hottentot Hans, knowing, according to his own confession, the object of Bezuidenhout, did notwithstanding assist him, by acquainting him with the arrival of the detachment, and moreover by seconding him in firing, the R. O. Prosecutor cannot consider his pretended fear for Bezuidenhout as otherwise than alone preventing him from making a severer claim, but not from judging him entirely devoid of punishment, and consequently thinks it his duty to conclude that the 2nd prisoner aforesaid shall be condemned by sentence of Your Worships to be severely flogged in the prison of this drostdy, and there to be confined for the term of the 3 first ensuing months, with condemnation of the prisoner in the costs.

The 1st prisoner has nothing to state.

The 2nd Prisoner says that he had merely fired out of fear for his master, who threatened to shoot him if he did not, and that he could not get away from him without running the risk of being

fired at. And therefore requests that he might be only flogged but not confined in the prison.

The Court, after due consideration of this case, agreeably to the 43rd Art. of the Proclamation of the 16th May 1811, leave the decision thereof to the full Court, with further desire that the prisoner in this case be, in the meanwhile, committed to the public prison at this drostdy.

Done at the drostdy of Graaff Reinet, day and year as above.

In my presence.

(Signed) H. CLOETE, LSON, Secretary.

[Enclosure 4 in the above.]

Cornelis van der Ness.

That Hans Bezuidenhout came to him on Monday evening the 13th and ordered him to join the party, saying that the Caffres would be there the following night, murder every individual who would not join and make a prize of their property, and that Cornelis Faber was gone to the Kaffers to bring them.

That six or eight days before the party assembled Hendrik Frederik Prinsloo came to him at the place of William Kruger, and said that Hannes Bezuidenhout told him that every inhabitant must hold himself in readiness, and if the Caffres came, they must fight with, and not against them, and drive the troops away from the frontiers.

Question.—Did you communicate all these circumstances to your field cornet or any other person?

Answer.—No, as the field cornet lived at the same place I supposed he was acquainted with the matter.

Question.—How happened it that so many persons came to be collected together on Monday evening at William Kruger?

Answer.—I do not know, unless at the instigation of Bezuidenhout.

Question.—Had you any conversation with the people who were assembled there that evening?

Answer.—On the expressions of Bezuidenhout he agreed to go and see how it would turn out.

Question.—How many persons were assembled at the time you speak of?

Answer.—I think about twenty men.

Question.—Did the message come from Bezuidenhout or an account of Prinsloo being a prisoner came first to your place?

Answer.—By the requisition of Bezuidenhout the people were held in readiness, and on the information of Prinsloo being prisoner, they all assembled.

Question.—Where were you found by the rest of the party?

Answer.—At Slachtersnek where the mutineers were yesterday made prisoners.

Question.—How came so many persons assembled at Slachtersnek as to compose so large a party?

Answer.—Through the exertions of the party riding day and night and being held in readiness by Bezuidenhout's order.

Question.—Do you know of Cornelis Faber being in Cafferland to collect Caffres?

Answer.—Yes: Bezuidenhout told me that he was gone there to collect such as he could to come to their aid, and he just returned at the moment the troops were opposed to us yesterday, but I did not speak with him.

Question.—Who is considered as the chief of the party on Brintjes Hoogte side?

Answer.—The prisoner Prinsloo. I think so because Bezuidenhout and he had resolved to join.

Question.—In a conversation which you had with Prinsloo a few days before, did he inform you he would join the party?

Answer.—He told me he would hold himself in readiness to join them.

Question.—In the event of Prinsloo having joined the party, who do you think would have been the chief?

Answer.—I conceive the prisoner Prinsloo would have been the chief, and that not having taken place Kruger was the principal.

Question.—By what means did you provide yourself with ammunition?

Answer.—Every person had a small quantity of his own.

Question.—In the event of your having succeeded, what reward did you intend for your friends the Caffers?

Answer.—They would have received the Zuureveld in exchange for a part of their own country which we would have divided among ourselves.

Question.—Where were you to have been joined by the Kaffers?

Answer.—On the boundary line between Graaff Reinet and Kafferland, a few miles above the Uitenhage line.

[Enclosure 5 in the above.]

Willem Frederik Kruger says that on receiving a line from the field cornet Opperman delegating him (Kruger) to act as provisional field cornet, he rode over to the field cornet's house to say that he was too old and did not wish to accept the situation. On coming to the place the field cornet was absent, and he asked his wife where Opperman was. The woman replied that she was on the eve of removing her family and property to the District of Camdeboo. Kruger asked the reason, and was told by Mrs. Opperman that Cornelis Faber and Hans Bezuidenhout had gone into Kafferland to bring over a Kaffer force to attack Opperman, who had been the informer against Fredrik Bezuidenhout who was killed. That he asked the woman what he should do in case of letters coming to Opperman, and she demanded him to open any which might have Opperman's address. The third day after a letter came from Deputy Landdrost Van de Graaff addressed to Opperman, which he (Kruger) opened. Its contents were to caution Opperman that a revolt had taken place in Tarka, Faber gone over to collect a Kaffer Force, and that Opperman should hold himself prepared to defend him.

By the same opportunity also came a letter addressed to Captⁿ Andrews, which Kruger gave himself to Dr. McKay to forward, as it was directed to be forwarded with all speed by Deputy Landdrost Van de Graaff.

Kruger wrote to Mr. Van de Graaff saying that Opperman had removed and left him in charge of the field cornetcy, and that he Kruger would enquire into the circumstance mentioned by Mr. Van de Graaff, and hold himself prepared for his defence.

On questioning Kruger if he enquired after Faber as mentioned in Mr. Van de Graaff's letter, he replied No, that Mr. Van de Graaff's letter had stated some rebellious people from Tarka had gone over to Kafferland to collect the Kaffers.

That he rode to the outermost place of little Daniel Erasmus, accompanied by Big William Prinslo, and found all quiet, upon which he commanded Louis Fourie, Lucas van Fuur, Volkert

Laport, Fredrik Brits, and little Daniel Erasmus to observe if the Kaffers were coming.

That Kruger had the intention of remaining that night at little Daniel Erasmus, but Piet Erasmus, who resides at Kruger's dwelling place, came to him saying that Hans Bezuidenhout, Abm. Botma, and 3 or 4 others of the Tarka people had come to his house asking for him, and upon which he returned home.

Erasmus also informed him whilst at little Daniel's that Prinslo was prisoner at Captⁿ Andrews' post.

On leaving little Daniel Erasmus he arrived at Big Daniel Erasmus's, where he met a number of people assembled from Baviaans River and Tarka complaining among themselves of one man being shot and another prisoner, and agreed to demand the prisoner and that Kruger should be one of the party for that purpose. Kruger consented to be one to inquire into the case, but would not be concerned in any act of violence, upon which he rode with them to his own house, when he met the others whom Erasmus had come to call him for, and there was a general cry amongst them to demand the prisoner Prinslo and insisting upon Kruger heading the party, as they had no other field cornet, he agreed to go provided no force or violence was used, and saying that he would instantly leave them if they used any means of this kind. Upon this they left Kruger's house in order to demand the prisoner, upon coming near Lt. Rosseau's post the people wanted to ride close to the post, but Kruger dissuaded them and led them at a distance from it.

On Kruger's arrival at Van Aard's post he sent 2 men to Captⁿ Andrews to demand the prisoner, upon which he received a message from Major Fraser that he would not be given up. Kruger then sent for Commandant Nel to come to the party, that he had no longer any control over them. The party after crossing the Fish river into Kafferland then demanded of Major Fraser the reason of the prisoner's confinement, and received a copy of an intercepted letter signed with the prisoner's name in reply, which Kruger said was sufficient, telling to the party "we have done wrong, let us return to our homes," when Hans Bezuidenhout immediately took up his gun and threatened to shoot Kruger, in which he was joined by many of the party, but from the noise he could not distinguish the persons, after which they were under

no control but moved about at pleasure like a parcel of wild animals.

That when Kruger received an intimation from Landdrost Cuyler he proposed to surrender, but Hans Bezuidenhout refused unless he could capitulate and return to their homes unmolested and remain so, and that Kruger remonstrated, saying that Government would not treat with persons like them with arms in their hands against it.

That in consequence of the letter from Landdrost Cuyler they proposed field cornet Greyling being sent (for some of his people being amongst them) to aid in capitulating, but Greyling had not arrived, altho' Piet Erasmus had been sent for him.

Question to Kruger.—Is the information you have now given the first you know of the business?

Answer.—About 12 or 14 days ago the prisoner Hendrik Fredrik Prinslo called at my house on his way to Tarka, where he was going to purchase corn, but said nothing on the subject, however on his return he told Kruger that the Tarka people were in a state of uproar.

That the field cornets were assembled to collect a force to come down to destroy the soldiers and drive them to Algoa Bay, that those who would not join would be shot through the head, and that Cornelius Faber and Hans Bezuidenhout were in Kafferland collecting Caffres for the purpose of assisting. That one inhabitant would draw the blood of another, and that the prisoner would draw Kruger's blood with as much pleasure as a spiggot out of a cask unless they would assist.

Question to Kruger.—Did the party under your command ever give you any cause for your conduct?

Answer.—Yes. Bezuidenhout being unjustly shot.

Question to Kruger.—When you came to the knowledge of all their improper and unlawful proceedings, did you take any measures to inform Government of it?

Answer.—No, it was not in my power, I dared not do it, I should have been put to death. I was even so much in dread of the party that I endeavoured to conceal the two letters which were enclosed in that of Mr. Van de Graaff for the officers, and did not let them see the postscript desiring them to be forwarded lest they should have been stopped.

Question.—Was Hendrik Fredrik Prinslo the only person with

whom you had any conversation on the subject previous to the assembling of the party?

Answer.—Yes. And when he communicated with me I told him to be very cautious and quiet, and that he should rather drop the matter, that it was a serious affair, and that I would not inform against him to Government or divulge it to any man, upon which the prisoner Prinslo rode away and had no communication with any other person until the assembling of the party as before related.

Question.—What was the intention of the party after they had driven the soldiers to Algoa Bay, as you have stated?

Answer.—I understood that the soldiers were to be driven away because they had killed Fredrik Bezuidenhout, and that the inhabitants would themselves defend the frontiers.

Note.—On reading Kruger a letter sent by the deputy landdrost Van de Graaff, he acknowledges that the names contained in it are those of men alluded to in pages 3 and 4 (in this copy page 2).

On reading a letter from Mr. Van de Graaff to Kruger requiring the assembling of his people at Teunis de Clerk's on the 14th November, he says that Teunis de Clerk informed him that such a thing was done, but Kruger knows nothing more about it, and Kruger says that the most active promoters of the party were Gert Fredrik Bezuidenhout and Hans Bezuidenhout.

Note.—Kruger says that on the 18th November when they were opposed to a force under Landdrost Cuyler he was anxious to come and surrender, but Hans Bezuidenhout pointed out a bush at a short distance from the party, saying "before you reach that bush I will shoot you."

Question.—Were any of the party sent into Kafferland to prevail upon the Kaffers to join you?

Answer.—Cornelis Faber joined the party on the 18th, whilst the troops were in front of us, on his return from Kafferland, and I asked him where he had been and if the Kaffers would join us, and he replied "I have been to Gaika and the Kaffers will have nothing to do with us."

Question.—Were you bound together by an oath, and what was the nature of that oath?

Answer.—On the day when the party appeared near Captain Andrews' post after Commandant Nel had left us, Hans Bezuidenhout caused us to swear to shoot any individual who should leave

the party, that they would be faithful to me and die by my side, but that if I as their chief attempted to leave them they would shoot me.

Question.—Have you ever heard of any exchange intended between the mutineers and Kaffers respecting the Zuureveld and Kafferland?

Answer.—Yes, it was spoken of amongst Bezuidenhout's party, but I had no intention of the kind myself.

[Enclosure 6 in the above.]

Confession of Prinsloo in the presence of Colonel Cuyler, landdrost of Uitenhage, and Major Fraser, deputy landdrost of Albany, November 17th 1815.

Hans Bezuidenhout and Cornelis Faber told him that on Thursday or Friday last week they would attack Lt. Francis Rossouw's post, naming Stoffel Botman to assist, that they would kill Lt. Rossouw, and report the circumstance to Government and fly to Caffreland, and such inhabitants as would not join them they would compel, also that they would root out the English and wanted no Government, and that they invited him (Prinsloo) to join them, but he refused. They told him that they would invite the Caffres, that Faber would go to the Caffres for that purpose, and that they and the Caffres would join him at Baviaans River, and if the other people would not join them that they would with the aid of the Caffres compel the whole of Bruintjes Hoogte, and if they got possession of Lt. Rossouw's post they would there get ammunition enough, and Bezuidenhout was vexed that his brother's gun was sold. Prinsloo acknowledges that he told Faber and Bezuidenhout *ik weet niet als ik zal mee doen*, but he did not tell them he would not join them.

They asked him to do his best to win over the inhabitants of Bruintjes Hoogte, and they would invite Tarka, but feared they would not be successful unless enabled by Caffres to force them.

Several of the witnesses corroborate this confession.

(Signed) J. G. CUYLER.

A true copy.

(Signed) J. BAIRD, Frontier Adj't.

[Enclosure 7 in the above.]

Big Willem Prinsloo.

That on the 8th November his field cornet Opperman told him that Adriaan Engelbrecht, Cornelis Faber, and another man had gone over to call in the aid of the Caffres. That Hans Bezuidenhout had told him that he and Cornelis Faber had been recruiting the people of Tarka for this party. That all Tarka as far as the Brak River were unanimous and willing to join, aided by the Caffres. The intention was to drive the Troops away to Algoa Bay and upset the Government, as people are shot without reason, and that they would get the Caffres from so far back as Tambookieland. His field cornet got an order from his Landdrost that he should appear at Graaff Reinets on the 13th or 14th. That he was afraid to leave his home, as he understood the Caffres were to join in three or four days, and requested Prinsloo to drive them back. And the day after Captain Banghera came to his house, when Prinsloo asked him if he had heard nothing of the extraordinary affairs then going forward, to which he said yes. That the Chief called Enoe informed him that Faber had been to Gaika with a small drove of sheep, and that he had heard something of an invitation from Faber to the Caffres to join the party, but he did not know how it would turn out. Upon which Prinsloo sent the Caffre Captain Banghera back to Gaika and the other Caffre Chiefs to desire them not to come forward until they heard from him, Prinsloo, and on the 12th the Caffre Chief Phoonah came to his house, and Prinsloo asked him if he had received the messenger sent by Banghera. Phoonah said yes; and Prinsloo asked him why he had not stopped the Caffres, as they must not come in, the party being in Terms with Government. Phoonah answered "the other chief Banghera is gone forward with the messenger, and I will back it when I return."

Question. Was it before or after your conversation with Opperman that Hans Bezuidenhout spoke to you as you have stated?

Answer. About ten or twelve days previous.

Question. What steps did you take to inform Government on this subject?

Answer. I did not take any, I considered the matter as an idle tale.

Question. Did any other person speak to you on the subject besides those you have stated ?

Answer. No.

Question. What then induced you to join the party ?

Answer. Willem Jacobus Prinsloo, called Klein Willem, with Theunis de Klerk persuaded me to join as a mediator with Major Fraser, having been sent by Willem Kruger to me. That Hans Bezuidenhout and Cornelis Faber were so violent and wished to call in the aid of the Caffres, who would upset their religion and ruin their families.

Question. Have you not a son among the party now prisoners ? and how came he to join them ?

Answer. Hans Bezuidenhout sent a messenger round the country saying that those who would not join should be put to death, and therefore I sent my son Klaas to join them on Sunday the 12th at Daniel Erasmus's or Kok's Kraal.

Question. How old is your son ? and do you consider him under your control ?

Answer. He is twenty years old, and I consider him under my control until twenty-five when he becomes of age. On the Wednesday following I sent my son Balthazar to bring back a horse which Klaas had taken with him, who did not immediately find the party, and when I joined myself the same day Balthazar was with them, and I sent him home to my house.

Question. How is it that the different Caffre Chiefs came to you rather than to any other person respecting this business ?

Answer. Because they think that they could hear the truth better from me than another.

Question. In the event of success was not the Zuurveld to have been exchanged with the Caffres for part of their Country ?

Answer. Such was the plan of Bezuidenhout and Faber.

[Enclosure 8 in the above.]

Notice to all the Inhabitants of the District Tarka that these districts make a request, namely Swagers Hoek, Vogel Rivier, Brintjes Hoogte, Vis Rivier, Suurveld, and Baviaans Rivier, not by tyranny nor Jacobinism, but on account of the burthens and injustice which in general we can no longer bear, which cries abomination before God,—Now every one will consider with a free

will to fight for his country with the aid of God and not to act contrary to His Law. All what the Gospel requires or forbids shall in this cause be done and used, doing or not. There is still to mention that the Caffres is peaceably near, and agree with him that he fights for Zuurveld, and we for our country, to them is allowed only the cattle of the mandoere, and also some iron, copper, and beads, and nothing more. Every one reflects on what he has to-day or to-morrow, if it were only in four, six, or eight days, he will be as much thought of as the first as to my request and demand this matter to examine and to ordain.

The 12th November 1815.

(Signed) ABRAHAM CAREL BOTMA.

This letter everyone is requested to send as speedily as possible from house to house, that it may be seen by every inhabitant, and no one remain ignorant; and is once more desired. Provisions are provided, and those who have no powder and lead can receive it then.

Agrees.

(Signed) J. F. VAN DE GRAAFF, Dept. Lt.

[Enclosure 9 in the above.]

WORTHY AND MUCH ESTEEMED COUSIN JACOBUS KRUGER,—I wish you all the needful for soul and body, Cousin. I write to you in the name of the Burghers of all Bruyns Hoogte, Zuurveld, and Tarka, to represent the case to your District, and particularly to the Field Cornet Van der Walt, that we have unanimously resolved, according to the Oath we have sworn to our Mother Country, to remain Defenders, to oppose the abandoned Tyrants and Villains, of which every one whoever it may be is with God convinced how abominably and abandonedly it is going on in our Country for which we have sworn, every one is convinced whether they will be present or not on the appointed date, and I trust the Matter to you to represent it to the People as soon as possible, if they will or not. I send you the Letter by the Hands of the Burgher Christiaan Muller and I request your answer by the bearer what the People say, the consequences speak for themselves. I rely on you to represent it to the People. This Letter I trust to

your Hands to burn it, you see the great confidence I place in you, the Letter concerns you alone, I hope therefore you will immediately burn it, you represent it to the People verbally. Now I trust it to you and am with regard and greeting to you, your Cousin,

(Signed) HENDRIK FREDERIK PRINSLOO, M. son.

Agrees.

(Signed) J. F. VAN DE GRAAFF, Dep. Landdrost.

[Enclosure 10 in the above.]

Good Friend Stevanus van Wyk, one universal voice of the people request that you command the men to fight for our country for it is now time ; and the people who are ready go down the 12 of this month, and I will hope that you will not be neglectful, and we require assistance as soon as possible.

The 9th of November.

Agrees.

(Signed) J. F. v. d. GRAAFF, Deputy Landdrost.

[Original.]

*Letter from REAR ADMIRAL COCKBURN to JOHN
WILSON CROKER, ESQRE.*

Northumberland, ST. HELENA ROADS, 13th December 1815.

SIR,—The *Minden* offers me an opportunity of which I avail myself to acquaint you for the information of my Lords Commissioners of the Admiralty, that by the exertions of the people of the *Northumberland* with such assistance as the Island has afforded, the House at Longwood has been sufficiently repaired and improved to have enabled me at length to get General Buonaparte into it, and I feel satisfaction in being at the same time able to add that it really now affords full room for lodging comfortably, and indeed I may say adequately to their situations, himself and all his other attendants and domestics, by accommodating only the family of the Comte de Bertrand out of it, for whom I am

therefore erecting a few rooms agreeably to his request close to the house, although detached from it.

Should it be ultimately determined (as I am most confident it must be) that Longwood shall continue the residence of the General and his followers during their detention upon the Island, it will not in my opinion (after the work I have now in hand is completed) be in the slightest degree necessary to make any further addition to it nor in fact to cause further expence of any sort, excepting of course what may be requisite to keep it up.

I have already in a former dispatch informed their Lordships of the advantages I consider this spot to offer over every other on the Island, I will therefore here content myself with merely stating that with the arrangements now established, I feel very confident not only of its being quite impracticable for the General or any of his followers to escape from it, but even for them to have communication with any person whatever without my sanction, as fortunately there does not happen to be a private house or private property beyond Longwood, to render it at all necessary for private individuals to be permitted to pass that way.

I have had much difficulty in finding the furniture requisite for such a house as Longwood with its present inhabitants, for (as I have before remarked to their Lordships) the General did not bring any with him from France, and the Lieutenant Governor of course took away (it being his private property) all which was originally in the house, I have consequently been forced to purchase everything necessary to refurnish it, I have however procured almost all the articles at second hand, and at the cheapest rate at which they could be got, and I trust I shall be enabled to transmit by the next opportunity for the information of His Majesty's Government, the regular Accounts of this expence, and of that which has been incurred for the lodging and feeding of the General and his followers to the period of their removal to Longwood, as well as a calculation of what will be their probable future expence there, which latter will be naturally in a proportion very much under what it has proved hitherto whilst they have been living necessarily in such an unsettled state and in separate houses in and near the town. It is with considerable satisfaction I have also to mention to their Lordships that General Buonaparte upon reaching Longwood House the other day to take up his residence there, appeared to be pleased with it

and expressed himself much gratified at what had been done to it in the short interval since he had seen it (upon our arrival) to render it comfortable and fit for his reception. No more dissatisfied notes or remonstrances have of late been sent to me from them, and in short everything is now going on with regard to the General and his attendants as well as possible.

On the 7th Instant the *Admiral Cockburn* and *Ratcliffe* Transports arrived here loaded with wooden moveable houses which will prove most useful to us, but unfortunately the person ordered out to superintend the erecting of them is on board the *Wilson*, another Transport which the agent informs me parted from these two in the Channel, I trust however the *Wilson* will make her appearance in a day or two, but should she not I have little doubt of being able to erect these houses without the assistance of the said person.

Colonel Sir George Bingham having represented to me that he could not occupy the different posts on this Island now necessary to be guarded, unless I would assist him with a Company of Marines, I have landed Captain Beattie of that Corps from the *Northumberland*, with a subaltern and fifty-five men, on which account, added to the *Northumberland* having to furnish a guard for every merchant vessel anchoring here, and she having also detached eleven Marines to Ascension, I have found myself absolutely obliged to take from the *Minden* a subaltern, a non-commissioned officer, and thirty men, which I would not have done if I could have managed without them, they having been upon a station abroad, but I have since learnt that several of them are fortunately volunteers for remaining here.

The *Minden* having also on board a number of supernumeraries for wages and victuals who only entered the service last June, I have not hesitated in ordering the remainder of the men on board the *Northumberland* (formerly belonging to the *Bedford*) who did not get their pay previous to our leaving England to be exchanged for an equal number of the aforesaid supernumeraries, and I consider it an act of justice due from me to these men whom circumstances obliged me to take aboard without their pay, to mention to their Lordships now they are returning, that the invariably cheerful and zealous propriety of their behaviour from the moment of our sailing has been highly creditable to them and praiseworthy, and I have much pleasure in adding that I have not indeed less cause

to be fully satisfied with the conduct of the rest of the crew of the *Northumberland* as well as of those of his Majesty's other ships under my orders. I am Sir &c.

(Signed) G. COCKBURN,
Rear Admiral & Commander in Chief.

[Copy.]

Government Advertisement.

Notice is hereby given that His Excellency the Governor has been pleased to appoint the Reverend J. A. Schutz to be Clergyman at Graaff Reinet.

Cape of Good Hope, 15th December 1815.

By Command of His Excellency the Governor.

(Signed) H. ALEXANDER, Secretary.

[Copy.]

Government Advertisement.

Notice is hereby given that His Excellency the Governor has been pleased to appoint J. H. de Wit, Esq., and J. F. van Reenen, Sr., Esq., Members of the Burgher Senate, in the room of J. Jurgens, Esq., appointed President, and of A. S. Amyot, Esq., resigned.

Cape of Good Hope, 22nd December 1815.

By Command of His Excellency the Governor.

(Signed) H. ALEXANDER, Secretary.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 23rd December 1815.

MY LORD,—I beg to call your Lordship's attention for a short time to, and to solicit your instructions upon, a point of some importance to the improvement of the vicinity of this place.

Midway between Cape Town and Saldanha Bay there is an extensive tract of very fertile land, nearly uninhabited, under the following circumstances :—

When the Dutch East India Company possessed this place, it was their policy to farm out the supply not only of the Garrison, Navy, and their own Merchant shipping, but also of the town itself, and in order to enable the contractors to keep together the large flocks and herds which so vast a consumption required, this extensive tract, known by the name of the Groene Kloof Farms, was ceded to them for the term of their contract, which seldom exceeded one year.

This extraordinary system ceased shortly after the occupation of the Colony by His Majesty's Troops in 1806, and in 1808 Lord Caledon caused the ground to be divided into 20 considerable lots, and to be let by public auction for a period of five years, by which measure a rent of 8392 Rixdollars per annum was derived from a source antecedently entirely unproductive ; this term consequently expired in the year 1813, and the holders have since been permitted to continue in their several occupations upon the rents obtained at the public letting above noticed.

It is evident that upon such short tenure no improvement on the part of the tenants could rationally have been expected, no buildings erected, and in short that this land, calculated for every sort of cultivation and well supplied with springs, must remain as it now is, one vast heath without inhabitants.

I have recently caused an accurate survey to be taken of these farms, making therein a more equal and convenient division of the land as well as of the supply of water to the respective Farms, and I wish therefore to propose to your Lordship either to alienate them in perpetuity, or to let them for such a term as shall give the tenants sufficient interest to warrant their building upon

and cultivating these lands. In the view I have of the subject, I should submit to your Lordship to adopt the first proposition, because the practice of the Settlement has not been that of taking lands upon determinable leases, and consequently the introduction of a new system would in all probability operate to the prejudice of the leasing; but a difficulty appears to occur even in this proposal, which indeed seems to have caused the long hesitation in the disposal of this property.

By the capitulation of the Colony in 1806 the lands and houses constituting the demesne of the Government are pledged to the public as a security for that proportion of the paper currency which had been antecedently issued on the faith of the Batavian Government, and although this has not been construed to include any part of the waste lands of the Settlement, yet the Inhabitants have always in some measure regarded these and the other productive Government lands as being part of the security pointed out.

If the land is to be considered as mortgaged, it will occur to your Lordship that no buildings erected upon lands so pledged would be exempt from the consequences to which all mortgaged property may be considered liable, and thus difficulties occur to the adoption of either of the alternatives which I have had the honour of submitting to your Lordship.

It is however in my view of the subject a very doubtful question, whether the vague article of the capitulation alluded to will bear the interpretation I have thought it right to apprise your Lordship has been put upon it. The paper currency which is very limited in its amount, which has the guarantee of the British Government, which is the only circulating medium received in all Government payments, whether of taxes or impositions, and which by practice is the only legal tender between man and man, appears to rest its value upon much more solid grounds, and indeed under the former Government no such security was ever held out for it, but it was issued and received solely upon the faith of the State. If any particular value had been attached to the security alluded to in the capitulation, a schedule specifying what was so particularly pledged would have naturally been attached to the Act, and the present uncertainty have been done away. The main point has been accomplished, the continuance of the paper money as the circulating medium, and its guarantee by the Government.

It will be therefore for your Lordship to decide what course it will be best to adopt with respect to the lands in question, at present, although a considerable rent is obtained for them, yet as they are almost entirely appropriated to the herds which depasture them in their uncultivated state, they may be said to be comparatively waste, when if divided as I have proposed to divide them, into about 30 large farms (of which the area comprehending near 120,000 acres is conveniently susceptible) Buildings would be erected, Improvements made, and they would maintain a considerable population and afford a large surplus to the wants of this market. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from the REVEREND C. I. LATROBE *to* HENRY
GOULBURN, ESQRE.

CAPE TOWN, *December 29th* 1815.

SIR,—Yesterday's Packet brought me Your most obliging letter of the 17th of October, and I must not defer expressing to you my sincerest acknowledgements for the kindness with which you conveyed to me the decision of the Right Honourable the Earl Bathurst on the points submitted to His Lordship in my letter of the 11th of September.

It is impossible for me to do justice to my own feelings and those of our missionaries at Groenekloof in declaring to His Lordship our sense of his condescension in giving such directions concerning that establishment as will afford to it permanency and security, and the means, under God, of rendering it subservient in promoting the spiritual and temporal welfare of the Hottentots. They will also be informed of the additional obligations they owe to a Government, which has always approved itself their benefactor and protector, and will feel it with peculiar force on the present occasion.

When I had the honour of waiting upon His Excellency, Lord Charles Somerset, the day before yesterday at Newlands, though he expressed himself warmly as to his views having been misrepresented, yet he kindly attended to what I alledged in apology

for the part I had taken, and invited me to make farther communications to him on the subject. I mentioned to His Excellency that I had applied for a restoration of the wood, first given to the establishment, so that the direction sent will not be unexpected.

In consulting with our missionaries from Groenekloof I have no reason to think that there was the least misstatement on their part, nor could they put any other construction upon the transactions upon which my humble appeal to Government was founded, than that which I had the honour to state to you.

With the greatest etc.

(Signed) CH. IG. LATROBE.

[Copy.]

Abstract of the Accounts of His Majesty's Receiver General at the Cape of Good Hope for the Year 1815.

REVENUE:

	Rds.	skil.	st.
Balancee	78,038	4	4
Lombard Bank	83,381	6	4
„ (repayments)	37,097	1	0
Discount bank	21,912	0	4
Vendue duties	121,221	2	5
Customs	277,241	3	4
Land revenue	67,294	6	2
Tithes and transfer duties	283,515	6	2
Stamps	105,168	7	0
Sequestrator's department	6,524	0	1
Printing department	13,218	0	0
Commando tax	29,000	0	0
Port dues	11,302	2	0
Postage	9,193	4	0
Fines	6,374	0	3 $\frac{1}{3}$
Fees of offices	49,344	5	2
„ wine taster's department	8,930	0	0
Annual repayment by Stellenbosch	3,000	0	0
Burgher senate, for waterworks.	24,000	0	0
Tolls	15,255	0	0
Miscellaneous receipts	8,684	0	3
	<u>Rds. 1,259,697</u>	<u>3</u>	<u>4$\frac{1}{3}$</u>

EXPENDITURE:

	Rds.	skil.	st.
Civil list, sterling salaries.	266,156	4	5 $\frac{1}{4}$
Colonial salaries	349,669	2	0
Public buildings (erection of new and repairs of old build- ings, &c.)	122,378	0	2 $\frac{1}{2}$
Cape regiment	207,146	7	5 $\frac{3}{4}$
Pay of Hottentot captains	2,244	1	4 $\frac{1}{2}$
Expenses of offices	21,726	1	1
Criminal prisoners and convicts	11,653	7	5
Remittance to colonial agent	44,087	7	2
Bible and school fund, in aid of the same	2,523	6	3
Freight and passage money, travelling expenses, &c.	3,972	0	0
House rent and lodging money.	4,768	0	1
Vessels and boats, purchase money and repairs of ditto, in- cluding charges of the harbour master's departments at outposts	8,526	5	2
Buckbay, Grootepost and Somerset establishments	33,016	4	2
Frontier service	3,972	2	0
Government Constantia wine	2,523	4	0
Commission of circuit	9,800	0	0
Annual repayment by Stellenbosch (destroyed)	3,000	0	0
Burgher Senate, for waterworks	15,396	7	2
Roads and bridges	124,566	7	4
Miscellaneous expenditure	7,444	7	1 $\frac{3}{4}$
Balance	15,122	5	4 $\frac{5}{8}$
	Rds.	1,259,697	3 4 $\frac{1}{2}$

(Signed) J. W. STOLL, Rec^r Gen^l.

MISCELLANEOUS RECEIPTS:—1815.

	Rds.	skil.	st.
Fiscal's department, the amount of expenses refunded by several masters whose slaves were criminally prosecuted and afterwards returned to them	642	3	0
Colonial paymaster, reimbursement on account of Cape regiment.	352	5	2
Commissary general, on account of store rent	1,263	0	5
Do. for timber.	6,425	7	2
	Rds.	8,684	0 3

(Signed) J. W. STOLL, Rec^r Gen^l.

SUNDRY EXPENDITURE:—1815.

	Rds.	skil.	st.
Commissary General, forage issued to Mr. Hough.	139	7	3
Premiums given at the farming of the tolls.	370	0	0
J. Zorn, Esq. for vegetables, &c. supplied by him	61	4	0
Mr. Thibault, the hire of slaves employed in the survey of lands	630	0	0
J. H. Bruchheiser, meat, &c. for lions	400	0	0
Receiver of land revenue, in reimbursement of the amount of arrears of rent on the loan place Brakkefontein, errone- neously paid into the Treasury	235	0	0
Mr. Hohne, subsistence of prize negroes placed in slave lodge.	533	2	1
His Majesty's collector of customs, sundry charges on account of twenty-six prize negroes, apprenticed to the governor for the time being	390	0	0
Commissary General, forage issued to the Rev. Mr. Hough	63	7	1
Dr. Hussey, expenses incurred in the hospital on account of M. Neville	33	6	2
R. Stone, for having taken charge of horses, &c. belonging to Government on board ship.	272	1	1
Commissary General, forage issued to Rev. Mr. Hough.	32	1	3½
Premiums given to the highest bidder at the farming of the wine licences	1,155	0	0
Pay to a working party employed in measuring a quantity of Government timber	70	5	2
Commissary General, forage issued to Mr. Hough	32	1	4
Mr. Smuts, in reimbursement of certain transfer duties paid by him	396	4	2
Mr. La Harpe, as above	320	0	0
Mr. Melvill, his expenses in surveying the Groenekloof farms Do. Do. Do.	2,014	6	0
Mr. Venables, for a Bible for the church at Simon's Town	40	0	0

Rds. 7,444 7 1½

(Signed) J. W. STOLJ, Rec^r Gen^l.

Return showing the Population and Cattle in the Possession of Individuals at the Cape of Good Hope in the Year 1815.

	CHRISTIANS:				HOTTENTOTS:				NEGRO APPRENTICES:				SLAVES:				CATTLE:										
	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Servants.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Waggon and Saddle Horses.	Breeding Horses.	Drayght Oxen.	Breeding Cattle.	Wethers.	Breeding Sheep.	Spanish Sheep.	Goats.	Asses.	Pigs.
Cape Town .	3,730	& do 3,986	& do .	192	& do 218	& do 227	154	227	130	162	18	29	8	4,411	& do 3,015	& do 429	1,960	2,763	8,940	4,548	1,045	6,934	1,560	3,777	189	146	
Cape District	511	413	383	435	49	227	154	227	130	162	18	29	8	2,013	423	622	429	1,960	2,763	8,940	4,548	1,045	6,934	1,560	3,777	189	146
Stellenbosch.	1,238	994	957	1,172	.	353	259	412	282	56	5	8	..	4,062	1,003	1,808	998	4,710	4,328	18,271	4,113	4,437	21,381	400	12,971	27	456
Swellendam.	1,275	1,138	848	1,455	2	662	510	606	527	18	6	5	2	1,075	468	588	476	2,645	10,620	14,025	24,531	2,407	97,923	7,986	60,299	2	256
Graaff Reinet	1,733	2,133	1,323	2,131	.	1,532	1,166	1,643	1,076	2	..	..	..	968	268	593	222	3,256	5,936	15,315	57,578	783	839,539	838	56,308	..	94
Uitenhage .	1,039	1,192	877	1,222	.	564	386	562	367	..	..	..	..	332	110	274	107	740	1,102	6,997	30,493	..	166,561	..	26,146	..	..
Tulbagh .	1,147	1,093	826	1,360	1	1,096	864	1,162	953	..	..	..	..	1,643	633	882	627	3,508	8,884	15,244	23,272	10,678	383,592	4,531	72,703	..	517
George . .	696	679	486	722	18	569	626	665	557	..	..	..	2	597	291	380	299	953	2,540	11,583	23,092	2,131	40,129	150	17,646	1	227
Total .	11,369	7,642	9,686	8,497	70	5,196	3,965	5,495	3,892	238	29	42	12	15,101	3,186	8,162	3,168	17,802	36,173	30,375	167,627	21,484	1,556,059	15,465	249,850	219	1,696

*Return showing the State of Cultivation and Quantity of Land occupied at the Cape of Good Hope
in the year 1815.*

	MUIDS SOWN :				MUIDS REAPED :				HAY.	VINES.	Leaguers of Wine.	Leaguers of Brandy.	Waggons.	Carts.	Loan Freehold Places.	Loan Places.	LANDS IN FREE-HOLD :				LANDS IN QUIT-RENT :				
	Wheat.	Barley.	Oats.	Rye.	Wheat.	Barley.	Oats.	Rye.									Places.	Even.	Morgen.	Roods.	Places.	Even.	Morgen.	Roods.	
Cape Town	..	..	..	..	..	..	..	..	lbs.	..	..	..	..	..	..	..	..	..	506	469	..	..	5	556	..
Cape District	2,849	817	3,287	64	27,066	16,844	10,572	726	2,125,100	2,092,976	9304	424	487	94	16	904	138	41	12,710	215	..	..	13,041	282	11
Stellenbosch	5,022	7244	3,498	129	44,281	14,182	25,877	1,113	..	16,931,800	11,912	770	1,231	250	..	1174	365	256	17,277	165	..	..	2,820	557	..
Swellendam	3,135	9004	2614	84	39,832	13,206	2,798	75	..	999,900	3054	594	1,012	49	..	4644	111	..	..	..	9	..	..	..	..
Graaff Reinet	729	326	04	1	15,163	6,252	10	22	..	435,956	187	69	1,357	20	..	370	1	72	..	..	..	..	..	..	..
Uitenhage .	4574	994	..	10	5,000	710	..	84	..	127,400	274	64	523	9	..	123	25	..	..	..	3	..	..	..	..
Tulbagh .	3,515	8874	668	2144	42,018	16,135	8,110	2,322	..	1,469,300	8184	1254	1,176	127	..	582	79	..	..	..	2	..	..	..	..
George . .	8924	278	8	1	13,005	3,604	120	3	..	772,500	185	95	569	22	..	223	4	..	51	..	4	..	1,426	..	..
Total .	16,5994	4,0324	7,723	428	186,365	70,933	47,487	4,345	2,125,100	22,829,832	14,3654	1,1674	6,355	571	16	1,9704	723	369	30,544	849	18	..	17,292	1,395	11

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the creation of new to replace worn out paper money.

12th January 1816.

[Original.]

Letter from REAR ADMIRAL COCKBURN to J. W. CROKER, ESQRE.

Northumberland, ST. HELENA ROADS, the 12th January 1816.

SIR,—I have to acknowledge the receipt of Mr. Barrow's letter No. 6, of the 1st September last (by the *Cormorant*) enclosing for my consideration and report a letter from Lieutenant Milne relative to the Island of Ascension.

By my first dispatch from hence their Lordships will have observed that the Island of Ascension being so situated as to render it very possible if not probable that it might be resorted to for the purpose of favouring the escape of General Buonaparte had not escaped my attention, and that I had consequently taken steps to prevent the occupation of it by any other nation until I could hear from their Lordships on the subject, it was however only with reference to General Buonaparte and my determination not to hesitate in taking any step I deemed necessary to insure his security which occasioned my so taking possession of and stationing a Guard Ship at Ascension, for I do not agree with Lieutenant Milne in supposing that Island at all likely to become a settlement of any value to us, its proximity to this place (only three days run from it) possessing such advantages over it, so advanced in cultivation and where supplies must continue to be so much more easily obtained, must render it extremely improbable that Ascension would be at all resorted to whenever from the death of General Buonaparte (which in all human probability must take place before a settlement at Ascension could be much advanced) or from other causes the present restrictions upon vessels coming here may be removed, and the more especially while we retain the Cape of Good Hope where supplies of every

description are so much more plentifully and easily to be procured than at either ; to which observations it may be added that the object which has hitherto drawn ships to Ascension (the Turtle landing there to lay their eggs) would in all likelihood be destroyed on a permanent establishment of any extent being fixed upon the Island.

The *Zenobia* which vessel took the first turn of duty at Ascension is this moment returned from it to this place, and I enclose for their Lordships' further information on the subject Captain Dobree's report respecting the water &c. Captain Dobree, who was there about two months, appears to be very positive there is no spring upon the Island, he conceives however the water which was constantly dropping from the Slate Rocks he mentions would yield about a butt a day, and I own I am inclined to think notwithstanding Captain Dobree's opinion that this may ultimately prove to proceed from a small spring, it however appears quite clear from his report that the Island is not at all likely to furnish sufficient water for the purposes of cultivation under so hot a sun, as well as for the consumption of inhabitants, without very extensive tanks were formed there for catching and securing the rain water, which would of course be attended with very considerable expence, and as I have before observed the Island does not in my opinion hold out much promise of yielding to us any adequate ultimate advantage.

I think nevertheless if it meet their Lordships' approbation that a more respectable force might be placed upon it during the detention here of General Buonaparte, and that in such case it might be advantageous to send to it from here, and from the Cape, a proportion of supplies of all descriptions sufficient to enable it to afford occasional assistance to any vessel in absolute want thereof, which it might be deemed right to refuse admittance here.

To put their Lordships more completely in possession of everything I have hitherto done with regard to Ascension, I consider it right also to enclose herewith a copy of the orders which Captain White of the *Peruvian* (the Sloop now at that Station) is acting under, as well as an extract from instructions since given by me to Captain Hamilton of the *Havannah* relating to the same object.

Captain Dobree is preparing a plan of the Island, soundings, &c., which I shall of course transmit to their Lordships when finished,

as well as such other material information as I may from time to time receive relating thereto.

Herewith I return Lieutenant Milne's letter. I am &c.

(Signed) G. COCKBURN, Rear Admiral.

[Original.]

Letter from REAR ADMIRAL COCKBURN to J. W. CROKER, ESQRE.

Northumberland, ST. HELENA ROADS, the 12th January 1816.

SIR,—I have to acknowledge the receipt of Mr. Barrow's letter (with inclosures) numbered 10 under date of the 17th October last (by the *Leveret*) relative to the ships destined to come to this station upon the Peace Establishment, and conveying to me their Lordships' Instructions thereupon and upon the other points to which it refers, the whole of which will of course meet from me with every possible attention and obedience. As one of the paragraphs however of this letter from Mr. Barrow relates to the subject of my shifting my flag from the *Northumberland* to the *Jupiter* for the purpose of my continuing in the command on this station, I consider it necessary not to delay submitting to their Lordships that having clearly and perfectly understood from Lord Melville (previous to my quitting town) that an admiral destined to command here upon the Peace Establishment would come out to relieve me in the *Jupiter*, I of course counted thereupon, and (leaving England as I did at so short a notice) I neglected to make many very necessary arrangements I should certainly have done had I expected a longer detention abroad, owing to which and to my health, and other circumstances being such as to render my continuance here likely to prove extremely prejudicial to me, I am placed under the necessity of requesting their Lordships will be pleased to order my being superseded as early as may be consistently within their power after the receipt hereof, should the fears which the aforesaid paragraph of Mr. Barrow's letter have occasioned me prove correct, and the *Jupiter* have quitted England without a Flag Officer to relieve me. I am &c.

(Signed) G. COCKBURN,
Rear Admiral and Commander in Chief.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 19th January 1816.

MY LORD,—I have the honor to transmit to your Lordship herewith the Copy of a Letter addressed to my Under Secretary by Mr. Courtenay, Agent for the Cape of Good Hope, respecting an Application which has been made to him on behalf of the Widow of Mr. F. L. A. Butter or Van Buttaar, late an Ensign in the Cape Regiment, who died while holding that Commission the year 1807. Mrs. Butter conceives herself to be entitled to a Pension as an Ensign's Widow, but states herself to have made in vain various Applications with the view of obtaining it. I have therefore to request that your Lordship will cause an enquiry to be made into the Circumstances of the Case in question, and in the Event of its appearing that Mrs. Butter is entitled to a Pension, I am to desire that you will give the necessary directions for it to be issued to her in the regular manner. I have &c.

(Signed) BATHURST.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, January 20th 1816.

MY LORD,—Shortly previous to the departure of Sir J. Cradock, in order to give the greatest effect to the system he had brought forward relative to the distribution of new Lands and to the conversion of the old tenures (called Loan Leases) into tenures in perpetuity, he appointed Mr. D'Escury Inspector of Government Lands; and instead of this office being a sinecure as heretofore, it has been rendered one of the most laborious and most important of any in the Settlement; I only do justice to Mr. D'Escury in assuring Your Lordship that he executes the unpopular duties attached to it, with talent, industry and impartiality.

Mr. D'Escury has represented to me in strong terms that the

salary attached to this situation is wholly inadequate to the maintenance of the respectable station in society he holds, or to the remuneration of his laborious duties, being only 3000 Rds., which at the present exchange does not amount to more than £320 sterling.

Feeling therefore that Mr. D'Escury has strong claims and that his case is in many respects different from most of the other Civil Servants of this Government who are considerably underpaid, I beg to recommend to your Lordship's consideration the propriety of encreasing his Salary to 5000 Rixdollars. Under the circumstances of the present pressure upon the Colonial Revenue I should be very unwilling to recommend any additional expense, but I am encouraged to do so from a confident expectation that a pension of 2000 Rds. which was allowed to the person formerly holding this office in consequence of his long service and other claims upon the British Government will soon fall in, the state of health of Mr. Baumgardt being such as to preclude the possibility of his continuing to draw it much longer. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, *January 22nd 1816.*

MY LORD,—I have the honor to inform your Lordship that on the 8th instant arrived in this Bay the Dutch ship of the line *Admiral Evertson*, bearing the flag of Rear Admiral Buyskes and the Dutch sloop of war the *Spion*, and that on the 11th instant the Dutch line of battle ship *Admiral de Ruyter*, having on board General Antingh with troops for the garrison of Batavia arrived in Simon's Bay. The line of battle ships *Amsterdam* and *Brabant* with two frigates are daily expected to join the above force here, these Harbours being appointed the rendezvous for the squadron and the troops on board, which are stated to be upwards of 5000 men.

Situated as Great Britain is in its relations with the Sovereign of the Netherlands I do not feel any anxiety at the protracted

stay of this force in the Harbours of this Government, but it may be worthy of your Lordship's remark that under the pretence of sending a competent force for the wants of East Indian possessions, a similar armament has in its power to enter these bays and to avail itself of the weakness of the Garrison here in a manner highly prejudicial to His Majesty's interests.

There is not at this moment a single vessel of Force in these Harbours, and the troops under my command are much reduced in number by the aid which was afforded from hence to the East Indian Government, independent of which the large detachment in the interior could not be made applicable in the first instance to the Colonial defence.

It will naturally occur to your Lordship that should any change in Europe give rise to an attempt of this nature, partial or temporary success would facilitate any ulterior enterprize against the Island of St. Helena, the Blockade of which might be effected by a squadron of the strength of the one now assembling here. A considerable time would elapse before intelligence of such a measure could reach England, and long before relief under such circumstances could be expected, and in the mean time the Garrison of St. Helena might be reduced to the greatest difficulties for provisions now chiefly drawn from hence. I am inclined to offer these obvious reflexions to your Lordship from the accounts we have of the still unsettled state of France, and from the possibility that a latent feeling favourable to Buonaparte might appear amongst the troops now in these roads, if opportunity should offer. It is understood that they have all served under his anners. I trust therefore that the policy of strengthening this place with troops will be apparent to your Lordship. I have, &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 24th January 1816.

MY LORD,—In communications which I have had the honor to make to Your Lordship I have alluded to the very great impor-

tance (I might indeed say necessity) of creating export from this Settlement.

Next to the export of wine I conceive the soil is best calculated for the export of horses, and were a market once rendered *certain*, it might in a very few years be carried to an extent quite unlimited.

Learning from officers belonging to the Indian Army who have touched at the Cape on their return to Europe, that the cavalry in India is not supplied with horses without difficulty and infinite expense, I have deemed it expedient to address to the Company's (acting) agent here, a letter (of which the enclosed is a copy), on that subject, and I trust I may hope for Your Lordship's warm support (by a communication with the Board of Directors) to a measure which, if adopted, cannot fail to be of incalculable advantage to the prosperity of this Settlement. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Return of Troops serving at the Cape of Good Hope on
the 25th of January 1816.*

Officers of all ranks at the Regimental Head Quarters or on Detached Duty at the Station	188
Sergeants, Trumpeters, Drummers, and Rank and File:	
Royal Artillery	324
Gunner Drivers	99
Sappers and Miners	14
21st Light Dragoons	993
60th Foot	1026
83rd Foot	914
Cape Regiment (at Grahams Town)	790
Garrison Company (at Algoa Bay)	151
Grand Total	4499
Prize Negroes	61

(Signed) C. H. SOMERSET, General Commanding.

[Original.]

Letter from the EARL OF CALEDON *to* LORD BATHURST.

CALEDON, 29th January 1816.

MY DEAR LORD,—In confirming Mr. Crozier's appointment of Post Master at the Cape of Good Hope Your Lordship has provided for a very deserving young man in whose promotion I took particular interest not only on account of his own merit but from the circumstance of his being married to a daughter of the late Mr. van Ryneveld a gentleman who filled the offices of Fiscal and President of the Court of Justice in a manner which procured him the confidence and respect of Lord Macartney and each succeeding Governor.

As to myself I do assure your Lordship no person can be more truly sensible than I am of the manner in which you have complied with my request; I had no claim upon your private friendship and am sufficiently conversant in public business to be aware that many and very pressing applications must attend your patronage. I had great reluctance chiefly on this account in applying to your Lordship and I am willing to believe you will not consider me vain in attributing your acquiescence to a mark of the approbation you once expressed of my administration of the Colonial Government. If so your Lordship has added greatly to the favor but under any consideration I must always retain a grateful recollection of the obligation you have confer'd.

I have &c.

(Signed) CALEDON.

[Original.]

Letter from THOMAS COURTENAY, ESQRE, *to* HENRY GOULBURN, ESQRE.,

WHITEHALL, 29th January 1816.

SIR,—I feel it my duty to call Earl Bathurst's attention to the approaching Expiration of the Act 54th Geo. 3, Cap. 182. The Order of the Prince Regent in Council of 24th September 1814,

by which the Commerce of the Cape of Good Hope is now regulated, was issued under the authority of the 49th Geo. 3rd Cap. 17 continued by the Act abovementioned; and will expire with the Act on the 25th of March next.

I submit therefore that should it be the Opinion of His Majesty's Ministers, that the system established by that Order should be preserved, it will be necessary either to propose to Parliament the further continuance of the Act 49 Geo. 3rd, giving to His Majesty the power of making Orders for the Trade of the Cape, or to subject the Colony to distinct legislative regulation.

I shall, I trust, be pardoned, for expressing a hope on the part of the Settlement of the Cape of Good Hope that when the Commercial System under which it is to be governed comes under review, the Observations which I addressed to Lord Bathurst through Major General Bunbury in my letter of the 29th of December 1814 will be adverted to.

You did me the honor to inform me on the 26th October last that that letter had been referred to the Committee of the Privy Council for Trade, and to the Lords Commissioners of the Treasury, but I am apprehensive that no decision has taken place upon the subject.

To the Articles mentioned therein, as probable Articles of importation from the Cape into this Country, I have now to add the Orchilla, or Archelia, a vegetable production, of considerable importance in the Art of Dyeing, not found in any other British Colony; but as I am aware that Lord Charles Somerset has made this the subject of a Dispatch to Lord Bathurst, I shall not now trouble you with any further remark thereon.

In reference to that part of my letter of the 29th December 1814 which related to the Duties on Whale Oil, the Produce of a Fishery carried on at the Cape, I have now the honor to enclose an Extract of a letter which I have subsequently received from the Governor of the Cape. I have &c.

(Signed) THOS PER. COURTENAY,
Agent for the Cape of Good Hope.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*CAPE OF GOOD HOPE, *January 30th 1816.*

MY LORD,—I had the honor to receive your Lordship's dispatch No. 41 dated 9th November last relative to the Revd. Mr. McKenny on the 27th instant. In justice to that gentleman I must assure your Lordship that his conduct here has been not only inoffensive, but indeed extremely respectable, and that the answer I gave to his application to preach in Cape Town (of which enclosure No. 1 is a copy) had no personal reference whatever to Mr. McKenny, but was founded upon the reply of the Political Commissary and of the clergy to whom His Excellency the Earl of Caledon referred a similar application in 1809. (Enclosure No. 2.)

Altho' I should be happy to see Mr. McKenny's exertions applied to converting unfortunate heathens to Christianity (in which effort I would readily afford him every support and encouragement) I will not disguise from your Lordship that my own strong and rooted attachment to the established Church of England induces me to regard an interference with the soldiery and English inhabitants in a very different light, and as Mr. McKenny is ignorant of the Dutch language it would be solely to them that he could address himself. The religious establishment here consists of a Colonial Chaplain as well as a Military Chaplain. I do not conceive therefore that the English Inhabitants or Soldiery can stand in need of further clerical assistance. I shall however be ready to attend and further whatever instructions your Lordship may honor me with on this subject. I have, &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

Reply to the Memorial of the Revd. Mr. McKenny requesting permission to preach the Gospel in Cape Town.

His Excellency the Governor conceives that the object of the Memorialist's mission is to convert heathens to Christianity in the interior of the Colony.

Should the memorialist preach in the Cape Town it is to be feared his exertions might have the effect of interfering with the established Religion.

Colonial Office, August 26th 1814.

By Command of His Excellency the Governor.

(Signed) C. BIRD.

[Enclosure 2 in the above.]

*To HIS EXCELLENCY DU PRÉ EARL OF CALEDON, Governor,
Commander in Chief of the Cape of Good Hope, &c., &c., &c.*

MY LORD,—Mr. Edward Pritchett, who has addressed himself to your Excellency, in his own name and in the names of two of his brethren for leave to officiate as preacher in the old meeting house, are persons wholly unknown to the Consistory. We therefore do not feel ourselves able to recommend their services in the capacity in which they wish to administer them; in the meantime we have applied to such persons as were likely to give us any information respecting them, and have found that said Mr. Pritchett and his brethren have been sent out by a certain Society in England, not to officiate at this Capital, but in the Country Districts or other parts, with a view to promote the interest and welfare of the heathens, upon which footing we are of opinion the laudable intentions of the Society deserve every support and co-operation, the more so as there is sufficient opportunity for soldiers and others enjoying the benefit of public worship in this Town, as heretofore, without the assistance of missionaries.

In the hope of this proving a satisfactory answer to Your Excellency's esteemed letter of the 11th instant, we have &c.

The Consistory of the Reformed Church

(Signed)

{ C. FLECK, V.D.M.,
J. H. v. MANGER, V.D.M.,
D. DE WAAL,
H. DE JONGH,
J. SMUTS,
G. MEYER,
A. P. DE VILLIERS.

[Original.]

Memorandum by Mr. D'Escury upon Baron G. K. van Hogendorp's Application for Land in the Colony.

Mr. Beelaerts van Blokland, as agent for Mr. G. K. van Hogendorp, presented a memorial to the Governor and Council to obtain certain portions of Land at the Mossel Bay, Flesh Bay, and Outeniqua Land, including part of the Coast and of the Woods, stating that the Government of Holland had agreed to the cession of certain portions of Land.

Whereupon the Council resolved that in conformity to the expressed desire of the Supreme Government in Holland, they were willing to co-operate with the views of the Petitioner, and would grant Him such portions of Land as pointed out in His memorial, *in as far as they might be disposable, and upon such conditions as the Council should think necessary for the interests of the Colony.*

That, whereas general and undefined grants are liable to cause confusion and disputes, *before any particular tract of Land was granted to the Petitioner*, a Commission of the Landdrost of Swellendam and the Land Surveyor Werninck would be appointed to inspect and measure the Lands asked for, and to report upon them minutely.

Which was forthwith executed, and the Report was accordingly made on the 1st of August.

The Governor communicated to have received a Letter in answer to the one He had written to Mr. Van Hogendorp dated the 19th January 1804, and handed over to the Council both those Letters.

The first is descriptive of the nature of the Land, He, the Governor, had seen during His journey; some short but pertinent remarks upon the Colony in general, as to its soil and agricultural resources; the whole Letter evidently intended to discourage Mr. Van Hogendorp in the projects he had formed; After the discouraging picture however, General Janssens added, that notwithstanding here and there might be found some partial Spots where something advantageous could be done and concluded by assuring Mr. Van Hogendorp that whatever he might still wish to undertake, in the pursuit of his projects, He could rely on every assist-

ance the Colonial Government could give him. This Letter was private and confidential.

By Mr. Van Hogendorp's answer it appears that the foregoing had produced a Strong effect upon his mind, and had considerably shaken his original ideas and hopes of success; however recovering from these, he laid hold of the more flattering Sentences, and combining the idea of those *promising partial Spots* with the tender of assistance on the part of General Janssens, he resumed his former Speculations with encreased ardor, and submits some new projects upon them.

On the 15th August 1804 Mr. Beelaerts, as agent aforesaid, was summoned before the Court, and the decision upon his memorial of the 18th of January preceding was communicated to him, to the following effect:

That the report of the Landdrost of Swellendam and Land Surveyor Werninck having been received, from which it clearly appeared that only a small portion of Land is disposable, inadequate to the views of Mr. Van Hogendorp, that the danger of navigating in those Bays would lead to enormous expenses, and be of no benefit to the projected Colonization, which the Petitioner admitting, the Council was of opinion that the granting of such Lands, as pointed out by the Petitioner, would not be advisable for the interests of Mr. Van Hogendorp to grant; but in order to employ the means already sent here, and to occupy the few people who had arrived, the Council offered the ceding of certain portion of Land at the Hout Bay.

The Petitioner did not positively accept the Offer; *the principal object of Mr. Van Hogendorp being to colonize at a distance from Cape Town.* The Petitioner was desired to send in his determination *in writing*, as soon as possible, and in the meantime the Inspector of Lands and Woods was directed to ascertain what Lands could be ceded to the Petitioner at the Hout Bay.

And, in order to prevent any loss of time, the said Inspector was directed immediately to point out at the Hout Bay such a piece of Land as he knew not to be occupied.

But the Petitioner not having applied for the same, it was communicated to him that such a piece of Land he could immediately obtain, and was invited to appoint a person to that effect.

The Petitioner gave in his written memorial, wherein He first recapitulated the Resolution of the 15th August preceding, with

an intention to shew, and indeed expressed, that he conceived the grant *as petitioned for had been conceded*. (The intention and disposition to make the grant was certainly expressed on the part of the Council; but *subject* to conditions and to a report to be made upon the extent and nature of the Land, and no *actual and positive* concession had been made.)

He admitted the kind intention of the Council in offering the land at the Hout Bay; but stated it to be quite insufficient for the objects contemplated, and then entered into a wide field of Speculations and views, &c., but at the same time confessed *that there were greater difficulties opposed to the success of Mr. Van Hogendorp's plan than what He had anticipated*; finally, that if the Lands, as pointed out by the Said Memorial could not be conceded, that then He was prepared to accept the Lands at the Hout Bay; persisting however in his former petition to have certain Cattle Places allowed, and reserving also to extend the said petition for more Lands in future, on the East Coast, &c.

On this memorial the Governor General Janssens reserved to Himself to give His opinion in writing, and to lay it before the Council. This He did on the 19th September 1804.

In this well digested document General Janssens clearly shews, in a military and in a civil point of view, the inexpediency, and the impolicy of making such a grant, for such purposes; particularly so with respect to the inability of the then Mother Country to provide against the dangers that might grow out of it. And at the same time he very strongly remarks upon the imprudence, on Mr. Van Hogendorp's part, to engage so largely and precipitately in speculations of which he did not know the nature, and involved himself before he knew the result of what was going on here; he provided everything at an enormous expense, uncertain if, when procured, it could be made applicable.

The inference seems a fair one, that if Mr. Van Hogendorp had brought losses upon himself by being too sanguine, he could not expect that the Government would compensate him for those losses; the private and confidential Letter General Janssens wrote to him, instead of having the effect of dissuading him, for which it was intended, operated electrically the other way; because there were two passages in it, tho' expressed in general terms, which he Seized upon and construed so as to give new zest to his projects.

It must be admitted that this document is couched in Stronger

terms of objection than the private and confidential Letter written to Mr. Van Hogendorp on the 10th January preceding. But that was a private communication between General Janssens and Mr. Van Hogendorp; this last document is a *public* and *official* one; *whereby the Government stands clear of any participation or encouragement*, and it must be supposed that the Petitioner has acquainted Mr. Van Hogendorp, his principal, with its contents.

The Resolution upon this Official document is a repetition of what had been said in the Resolution of the 15th of August, that the land found to be disposable was insufficient &c., and it adopts the general course of reasoning as observed in the said document and repeats also the readiness of the Council to grant to the Petitioner at the Hout Bay the Land pointed out by the Inspector of Lands and Woods upon certain conditions.

The Council also stated, that with respect to the plan of colonizing, they would refer it to the Supreme Government in Holland, to ascertain, whether, and in how far, they could and ought to comply with Mr. Van Hogendorp's views.

Nothing however on this Subject appears farther on record.

It seems then clear that the Government at the time considered the matter of the extensive grant of Land at Plettenberg's Bay, &c., *as set aside*; and that *for the use and accommodation of the means already arrived, and in lieu of the former*, certain quantity of Land should be assigned to the Petitioner at the Hout Bay.

Which quantity of Land, according to the report of the Inspector of Lands and Woods, amounts to from 120 to 130 morgens of Good useful Land.

By thus long hesitating to accept the Land offered at the Hout Bay, and not receiving it, tho' accepted by his last memorial, when the Inspector was prepared to point it out, the Petitioner lost for the time, and until now, the benefit of that Land. Soon after the Colony was taken; and altho' at the Capitulation General Janssens meant to make some provision for Mr. Van Hogendorp, this was resisted; *therefore no plea can be established on the ground of the capitulation.*

Mr. Beelaerts presented subsequently, on the 12th January 1808, a memorial to Lord Caledon, then Governor, to have the Land at the Hout Bay confirmed to Mr. Van Hogendorp; but which on the 18th following was *negatived* on general and public grounds, and particularly because Mr. Van Hogendorp was then

an *alien Enemy* under the supposed allegiance to the French King of Holland.

However the British Government did not allow the Land intended by the Batavian Government for Mr. Van Hogendorp, to be alienated, not only, but even a part of it, which had been obtained by Mr. Grand, They re-purchased of him for *Rixds.* 5000. So that the original intention of the Batavian Government may still be confirmed in full, as relates to the Hout Bay. And lately Mr. Beelaerts once more petitioned His Excellency, the present Governor, to the same effect, *on the ground of right*; but to which on the 19th November 1814 was replied, that the claim of *Right* having always been rejected by preceding Governments, and approved of by the British Government at home, His Excellency saw no ground for admitting the pretensions.

To this short compendium of the particulars of this case, the Undersigned begs leave to add, that it is with real regret he learned some time since that Mr. Van Hogendorp had conceived the idea that the Undersigned had expressed to entertain opinions favorable to Mr. Van Hogendorp's views upon the acquirement of Land in this Colony by *title of Right*, whereas nothing is more distant from what the Undersigned has always thought and expressed; and on the occasion of Mr. Beelaerts presenting his last Memorial above alluded to, he did the Undersigned the honor to communicate it to him; which, when returning it, the Undersigned wrote to Mr. Beelaerts the following note:

"Respecting the subject of the memorial, as it may possibly be referred to me, I cannot well prejudge it, but this much I will say, it strikes me, that you cannot *possibly* establish a *right*, whatever you may be able to obtain as a *grant*; but then your application should be directed accordingly, and with reference to the established customs and regulations of the Colony."

This must be allowed to be perfectly clear, and not susceptible of misconception; and whereas the undersigned believes Mr. Beelaerts to have communicated it to Mr. Van Hogendorp, he cannot imagine whence the erroneous idea before stated can have arisen.

(Signed) CH. D'ESCURY.

CAPE TOWN, the 3rd of February 1816.

[Original.]

Letter from THOMAS LACK, ESQRE., *to* HENRY GOULBURN, ESQRE.OFFICE OF COMMITTEE OF PRIVY COUNCIL FOR TRADE,
WHITEHALL, 6th February 1816.

SIR,—The Lords of the Committee of Privy Council for Trade having had under their Consideration Your Letters of the 30th January and 14th November 1815, and 1st February 1816, with the several Papers inclosed therein, relative to the Trade of the Cape of Good Hope, I am directed to acquaint you, for the information of Earl Bathurst, that Their Lordships think it would be expedient, (and will undertake to introduce a Bill) to renew until the 5th July 1817 the Act which authorizes His Majesty in Council to regulate the trade of the Cape of Good Hope. Their Lordships do not propose to continue the Bill for a longer period than that above specified, in the Hope that in the meantime the Trade of the Cape of Good Hope will have acquired a Character of sufficient Permanence to enable His Majesty's Government to determine hereafter on the expediency of submitting to Parliament a more fixed arrangement.

With regard to lowering the Duties on the various Articles of the Produce of the Cape, The Lords of this Committee think it necessary to observe that some of those Articles, such as Oranges, Lemons, Lemon Juice, and Raisins, are also produced either in Malta or in the Ionian Islands, which have recently come under the Protection of His Majesty, and are consequently equally entitled to the attention of the British Government. Their Lordships would therefore hesitate in recommending a different Rate of Duty for such Articles, being the Produce of the Cape of Good Hope, from that which may be payable on similar Articles when produced in other Possessions of His Majesty : And as the Duties on these Articles are not unimportant with a View to the Revenue, Their Lordships are not prepared to recommend any immediate alteration ; But as the subject of the Consolidation of the Duties of customs is under the Consideration of the Lords of the Treasury, in concert with this Committee, an opportunity will be afforded of fully considering whether the Interests of the Revenue will hereafter allow of any Diminution. The Lords of this Committee feel the less reluctance in withholding their

assent to any immediate Change as recommended by Lord C. Somerset and the agent for the Cape from having reason to believe that the interests of that Settlement have been materially benefited by what has already been done for it with regard to its Staple Commodity of Wine. I am Sir &c.

(Signed) THOMAS LACK.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 9th February 1816.

MY LORD,—Sir Hudson Lowe, the Governor of St. Helena, has received Instructions from His Majesty's Government to permit any of those Persons who have followed the fortune of Napoleon Bonaparte, and are now resident at St. Helena, to withdraw from that Island if they are so disposed; and those who may withdraw will be provided with the means of conveyance to the Cape of Good Hope.

In case of the arrival of any of those Persons at the Cape, your Lordship will consider yourself authorized to permit them to embark either for Europe or the United States of America, if they shall be able to find opportunities, and defray the Expences of their conveyance. But your Lordship will be pleased to explain distinctly to any of those Persons who may embark, that you cannot take it upon yourself to promise that they shall be permitted to fix their residence or even to land in Great Britain; as a permission to this effect must depend upon time and Circumstances, and must be determined by His Majesty's Government at the moment when those persons may arrive in the Ports of this Kingdom.

If these persons should not be able to provide the means of Passages for themselves either to Europe or the United States, and should solicit your Lordship to order a passage for them, you will be pleased to acquaint them that it is necessary you should apply for the Sanction of His Majesty's Government; and your Lordship will report to me all the Circumstances and expect further Instructions. In the mean time you will consider yourself authorized to assign to the Persons in question places of Habitation and

means of Subsistence proportioned to their respective Ranks—subjecting them to such Regulations and moderate Restrictions as your Lordship may see to be necessary. I have &c.

(Signed) BATHURST.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the destruction of worn out paper money.

9th February 1816.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, 10th February 1816.

MY LORD,—Your dispatches No. 42 and No. 43 have been received and laid before His Royal Highness The Prince Regent.

The happy termination of the disturbance which had broken out in the District of Graaff Reinet afforded his Royal Highness the greatest satisfaction, and I can assure you that His Royal Highness did not fail to attribute it in a great degree to the vigor and judgment which was displayed by your Lordship and the Officers more immediately employed under your Command in that Quarter. His Royal Highness feels that had there been less firmness in enforcing the execution of the Laws upon the original Offender or less promptitude in acting against him when in open Rebellion the Colony might have been exposed to all the Evils which it formerly experienced from Insurrections of the Boors in the distant Districts. Your determination to bring the Ringleaders of these disturbances to a regular trial before the Civil Courts of judicature is in every respect most judicious as tending both to raise the Character of the Government, and the power of the Courts themselves, which the Boors have been but little inclined to respect. In one point of view these disturbances have produced a good effect, inasmuch as they have shewn to the discontented the futility of a reliance on the assistance of the Kaffre

Tribes, and have thus given a degree of security to the Colony which until the pacific disposition of those Tribes was actually put to proof it did not before possess.

Although there is nothing in your dispatch to lead to an apprehension of any further disturbance and there are additional reasons suggested for the reduction of the Cape Corps, yet I am unable to convey to you any precise and definitive Instruction upon that point, because I am not aware how far you may consider the maintenance of that Corps necessary to the efficiency of your Military Force. His Majesty's Government are on many grounds desirous that the Corps should be altogether reduced, and in the event of your feeling able to dispense with their services, you will consider yourself authorized to proceed to its partial or total reduction according as the one or the other may appear to you most adviseable. When the Colony shall have been relieved from that heavy Charge it will naturally become a question for consideration whether the surplus of the Colonial Revenue may not be most advantageously employed in contributing to the maintenance of another European Regiment at the Cape, and thus affording some relief to the Military Expenditure of the Mother Country. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 13th February 1816.

MY LORD,—Part of the Dutch Fleet sailed this day. I thought it my duty to pay every attention to the superior officers and to the accommodation of the fleet. In point of military honours I wished to have paid the same attention which was shewn to General Bouvet but which were declined, but in the civillest manner by Mr. Commissioner Elout.

If it should occasion any observation by the Minister of the King of the Netherlands, I transmit to your Lordship a Copy of His Excellency the Commissioner's letter to prove the willingness of His Majesty's Servants here to have paid every possible

attention, and that any deficiency of public honours proceeded from an anxiety to comply with the wishes of the Commissioner himself. I am sorry, My Lord, to observe, that although the Troops and Sailors when permitted to land conducted themselves with great propriety, that I hear through a variety of channels that their feelings and those of the majority of the inferior officers are strongly anti-Anglican. I think it my duty to mention this trait to your Lordship, as the temper and disposition of the Troops of the King of the Netherlands are subjects likely to attract your Lordship's consideration. I have, &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

MY LORD,—Sensible a toutes les marques de distinction que votre Excellence nous a temoignées pendant notre séjour dans ce pays, je le suis particulièrement encore a celle que votre Excellence s'est plu à me faire connoître de vouloir me faire rendre les honneurs a mon départ comme ils ont été rendus a notre débarquement.

Mais ce me seroit rendre un service bien réel, si votre Excellence voulut m'en dispenser, et me permit de me rendre à bord incognito, ce qui pour des raisons personnelles me conviendrait beaucoup. J'ose donc prier votre Excellence avec instance de vouloir m'excuser de tous honneurs. Veuillez, My Lord, &c.

(Signé) ELOUT, Conseiller d'Etat, &c.

A S. E. Lord Charles Henry Somerset.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas it has appeared from authentic information that the Measles have broken out in the Island of Mauritius: and whereas the reflexion of the sad devastation caused by that Malady in this Settlement a few years ago renders it expedient to take the most rigid precautions against its introduction into the Colony:—Be it

therefore made known, that I have directed every Vessel coming from the Island of Mauritius aforesaid to be forthwith put into the strictest Quarantine: and whereas H. M. 72nd Regiment has just arrived from India, after having touched at the Island of Mauritius, and although there are no cases of this disorder known to have been in the Corps, yet to prevent the possibility of contagion and danger to the Inhabitants of this Place, I have directed the aforesaid Regiment to be disembarked at Robben Island, on Tuesday next the 20th instant, and encamped there until further orders.

I do therefore hereby strictly forbid all intercourse whatever with the said Island during the time the said Regiment shall be there encamped, or until further notice, except by the Boats which shall be employed by the Commissariat Department, under regulations which will be made known through the channel of Military Orders.

And in order the better to enforce a due attention to this necessary regulation, I hereby declare that any Person (after the disembarkation of the Regiment on Tuesday next the 20th instant) found upon the Island, will be detained there during the whole period of the continuance of the 72nd Regiment there, and will incur a penalty of 500 Rds. and be subject to imprisonment for the term of six months; and in case of the inability of the Party to pay the aforesaid sum, then the Party so offending will be liable to be corporally punished, according to the exigence of the case.

And in order to give the fullest information on the subject of these regulations, I have not only directed that this Proclamation shall be published and affixed in the usual manner, but I have directed that the Port Captain shall be furnished with an adequate number of Copies, in order that he may deliver one of them to each Ship arriving in these Bays, during the continuance of H.M. 72nd Regiment at Robben Island aforesaid.

God save the King!

Given under my Hand and Seal, at the Cape of Good Hope, this 17th day of February 1816.

(Signed) C. H. SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 23rd February 1816.

MY LORD,—I have the honor to inform Your Lordship of the arrival here of the 1. Battalion of His Majesty's 72nd Regiment from India, the Governor General not having deemed it expedient to detain that Corps in the East under the more favourable aspect of affairs in the Napaul.

At the request of Sir Alexander Campbell it appears that this Battalion was sent back by the way of the Mauritius, in case its service might have been needed in that Settlement; but it not having been necessary to disembark the Corps there, it has returned here in a healthy and efficient state. The officers and the major part of the men having however landed and had communication with the inhabitants on shore there, I have been under the necessity of ordering the transports which brought them into the strictest quarantine, and of disembarking and encamping the regiment at Robben Island as a temporary Lazaretto in consequence of the measles prevailing at the Isle of France, which disorder has always been very destructive, whenever it has appeared in this Settlement. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Letter from J. W. CROKER, ESQRE., to VICE ADMIRAL TYLER.

ADMIRALTY OFFICE, February 24th 1816.

SIR,—I have received the express commands of my Lords Commissioners of the Admiralty to convey to you the anxiety with which they have for some time past look'd for your return to England.

Their Lordships command me to observe—that on the 27th December 1814 I address'd a letter to you to apprise you that

you might expect shortly after to receive an order (of which I enclosed a copy) to suspend hostilities against America, and I further conveyed to you their Lordships' directions to lose no time, on the receipt of the said order, in returning to England with the ship bearing your flag and all other ships which might be with you at the date of such receipt, and their Lordships specially instructed you to send to *any ships which might be on detach'd service* orders to repair to England with all expedition.

This letter it appears by yours of the 10th of April No. 35 you received on the 12th of March 1815, but you did not acknowledge the receipt of it till the 10th of April having, as you state, omitted by mistake to do so.

On the 10th of May you appear to have received the order referred to in my said letter of the 27th December, and my Lords would have expected that having been in possession of their intentions for so long a period you would have been prepared to have sailed immediately on the receipt of the order which you had been expecting for two months.

On the 28th of May however you were still at the Cape of Good Hope and on that day received a duplicate of the before mention'd order, and my Lords have not been able to find in your dispatches written in the month of May an allusion to your return or to the reasons which induced you to stay after having received both the original and duplicate of the order mentioned in my letter of the 27th December.

On the 14th June you write to acquaint me that you had heard of the extraordinary events which had taken place in France and that you had in consequence countermanded the arrangements you had made for returning to England with the Squadron under your command.

This step, since you happen'd to be still at the Cape, my Lords do not see reason to disapprove, the political circumstances of Europe sufficiently justified this exercise of your discretion; but their Lordships remark that in this letter you go on to say, "that it had been your intention to have dispatched the *Centaur*, *Liverpool*, *African*, and *Tamar*, and to have followed soon after with the remainder of the Squadron." Why you had formed this intention you have not explained, and it appears to have been at variance with their Lordships' orders which directed you to

lose no time in returning in your flag ship with such part of the Squadron as should be at hand, sending orders to detach'd ships to follow you.

My Lords were however glad to observe in this letter that you stated that you only detained the ships till you should receive further orders or such accounts as would justify you in sending them home. Both of these alternatives were fulfilled by the arrival of Sir George Cockburn at St. Helena, with General Buonaparte in his custody; the appointment of Sir George to the command of the station being equivalent to their Lordships' orders for your return, and the capture of General Buonaparte being a circumstance which would have justified you in sending home H.M. Ships.

In your letter of the 15th November you state that these events have come to your knowledge, and you state that it was then your intention to wait at the Cape of Good Hope till the *Liverpool*, *Tamar*, and *Harpy*, which had been detach'd to the Mauritius, should return, and that you should proceed, on the arrival of these ships, to St. Helena, and having given up the command to Sir Geo. Cockburn return to England in obedience to their Lordships' former orders.

My Lords cannot help observing that these orders expressly stated that you were not to wait for detach'd ships and that (even omitting a consideration of all former delays) they seem'd to prescribe to you the necessity of returning home immediately.

In explanation of the circumstance of your not having received any orders from their Lordships by Sir George Cockburn's conveyance, I am commanded to state to you that their Lordships, having ascertained by your letter of the 10th April that you had received their orders of the 27th December and knowing that you must many months before Sir George Cockburn sailed have received the order on which your return depended, could not have supposed that you would have been still at the Cape of Good Hope.

After recapitulating these circumstances, for which their Lordships hope you will be able to afford a satisfactory explanation, I am commanded by them, in the event of their letter reaching you at St. Helena or within the Cape Station, to convey to you their positive orders to return immediately on the receipt of this letter with the ship in which your flag may be flying to Plymouth,

there to receive their Lordships' further orders, leaving directions for the other ships before mention'd to follow you. I am Sir &c.

(Signed) J. W. CROKER.

[Original.]

*Return of Troops serving at the Cape of Good Hope on the
25th of February 1816.*

Officers of all ranks at the Regimental Head Quarters or on Detached Duty at the Station							210
Sergeants, Trumpeters, Drummers, and Rank and File :							
Royal Artillery							323
Gunner Drivers							101
Sappers and Miners							14
21st Light Dragoons							991
60th Foot							1026
83rd Foot							931
72nd Foot (Robben Island)							827
Cape Regiment (Graham's Town)							789
Garrison Company (Algoa Bay)							151
Grand Total							5363
Prize Negroes							61
(Signed) C. H. SOMERSET, General Commanding.							

[Office Copy.]

*Letter from LORD BATHURST to LORD CHARLES
SOMERSET.*

DOWNING STREET, 28th February 1816.

MY LORD,—In reply to your Lordship's letter of the 18th November last, notifying Mr. Gall's resignation of his Situation of Postmaster at the Cape of Good Hope for the reasons therein stated, I have to express my entire concurrence in the arrange-

ment proposed by your Lordship for the future and more economical performance of the Duty of that Office. I have &c.

(Signed) BATHURST.

[Original.]

Letter from REAR ADMIRAL COCKBURN to
J. W. CROKER, ESQRE.

Northumberland, ST. HELENA ROADS, the 2nd March 1816.

SIR,—Since my Dispatches of the 16th Ultimo we have had no arrival whatever from England nor has any material circumstance occurred for me to detail to their Lordships.

The *Bucephalus* has returned from the Cape bringing the detachment of Dragoons I wrote for on my first arrival, which will prove extremely useful to us, the officer and men have of course been placed, with regard to their pay and allowances, on a proportionate footing with the rest of the Garrison here.

Everything with regard to General Buonaparte and his followers, and to this Island, proceeds quietly, regularly, and satisfactorily.

The advanced ship of the first homeward bound China Fleet of Indiamen has just arrived here, a number of ships supposed to be the remainder of the Fleet are now in sight of the Island and will probably anchor to-night or to-morrow morning. I am &c.

(Signed) G. COCKBURN, Rear Admiral.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL
BATHURST.

CAPE OF GOOD HOPE, March 4th 1816.

MY DEAR LORD,—The Baron Van der Capelle arrived here on the 17th of last month, when he did me the honor to deliver to me your Lordship's letter of the 3rd of October last, and I have to return your Lordship my best thanks for introducing me to

persons possessing, as the Baron and Baroness do, every estimable quality in so eminent a degree.

They have done me the honor (with as many of their suite as I could possibly accommodate) to remain during their stay at the Cape at my house in the country (except two days when they made an excursion), and they have been flattering enough to assure me that they have passed their time agreeably here. I beg your Lordship to believe that I shall always derive the greatest gratification in attending to your wishes, and in noticing in the best manner I am able any persons in whom your Lordship may feel an interest; but on the present occasion the debt is entirely on my side, as every one must be a gainer who has the good fortune to become acquainted with the Baron and Baroness Van der Capelle. We parted with them with sincere regret this morning, when they embarked on board the *Amsterdam* of 80 guns for Batavia.

I am happy to say that I could not learn that the sentiments which I hinted to your Lordship (in my dispatch of the 13th February) existed amongst the subordinate ranks of the military who accompanied Admiral Buyskes were entertained in any degree by those with Baron Van der Capelle, and that if they were, they dared not express them, well knowing, I conclude, that they would not be tolerated by their Chief. I have, &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 5th March 1816.

MY LORD,—On the 13th of last month I had the honour of communicating to your Lordship that Commissary General Elout and the Dutch Admiral Buyskes had sailed from this place for Batavia, a few days subsequent to which (the 17th) the Dutch Line of Battleship *Amsterdam*, Captain Hoffmeyer, arrived here, having on board His Excellency Baron Van der Capellen, Governor General of His Majesty the King of the Netherlands possessions in the East Indies, his Lady and suite. His

Excellency landed on the following day, under the usual salutes, since which I have had the honour to entertain him as my guest at Newlands, and yesterday His Excellency embarked under salutes from the batteries for his further destination, the streets having been lined by the Troops and the most punctilious attention having been paid His Excellency on the occasion.

The crew and soldiery embarked on board the *Amsterdam* amount to upwards of 900 persons, and they leave this place in perfect health. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from VICE ADMIRAL TYLER to J. W. CROKER, ESQRE.

NEROTS HOTEL, 5th of March 1816.

SIR,—I received your letter of the 26th of February last on the 2nd instant, wherein you state “I have received the express commands of my Lords Commissioners of the Admiralty to convey to you the anxiety with which they have for some time past looked for your return to England.”

I beg leave in reply to state that my letter of the 10th of April acknowledging yours of the 27th of December 1814 was actually mislaid, and I never found it until the beginning of April. The only reason I have to give their Lordships for not sailing as soon after as the ships were ready is that I was very unwell, and I most certainly should have ordered the ships home if I had not misconceived their Lordships’ order, which I understood was to bring the ships home with me, but I confess their Lordships’ directions to me on that head I find will not bear me out.

The information I received by a merchant ship the 28th May induced me to remain at the Cape with the Squadron under my orders, until I received their Lordships’ further orders or such information as would authorise me to leave the station. Their Lordships are pleased not to disapprove of my having done so as I was at the Cape.

In my letter to you of the 15th November I state my knowledge of Sir George Cockburn having been appointed to the

command at the Cape and having General Buonaparte under his charge at St. Helena. I again unfortunately misconceived their Lordships' orders by bringing the Squadron home with me, and waiting their return from the Isle of France, which they did late in December, and I left Simons Bay with the *Tamar* and *Harpy* on the 29th of that month, the *Liverpool* was to remain forty-eight hours for Lord Charles H. Somerset's dispatches. She joined me at St. Helena on the 12th of January.

I have most undoubtedly mistaken their Lordships' orders, but I can with great truth assure their Lordships I had no one motive in so doing. I therefore hope their Lordships will impute it to an unintentional error, and not a wilful neglect. I am &c.

(Signed) CH. W. TYLER.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 6th March 1816.

MY LORD,—I have had the honour to receive Your Lordship's Dispatch No. 44 of the 23rd December, and I take the earliest opportunity of acquainting you with my Sentiments on the Subject of the Groene Kloof Farms.

While I concur entirely in Your Lordship's opinion on the impolicy of the System formerly pursued by the Dutch Government and on the insufficiency of the Term allowed by the Leases of 1806 and 1808 to encourage any essential improvement of the Farms, yet I am inclined to believe that the Interests of His Majesty and of the Colony would suffer from the complete Alienation of this great Tract of improveable Land, before its Value is understood, and an active Spirit of Agricultural Enterprize has grown up in the Colony.

The Disposition of the Inhabitants to regard these Lands as a part of their Security for the Paper Currency (however unfounded that disposition may be) also militates against the Sale of the Lands.

These and other Considerations (with which it is unnecessary that I should trouble Your Lordship in detail) lead me to prefer

a System of letting the Farms in question upon long Leases, renewable at stated periods upon the payment of certain Fines, the Amount of which should be fixed at the Outset.

The total term of the Lease should be sufficiently long to make it worth the Tenant's while to expend Capital in the Improvement of the Soil, and in such Buildings as are essential for the Business of the Farm.

The Colonial Government might ensure to the Tenants for their respective Terms the Value of the Buildings which they might erect against any new Claim arising out of the possible failure of the Paper Currency.

I recommend that Leases should be granted for twenty-eight years at a fixed Annual Rent, but that the Leases should be renewable every seven years on payment of a Fine equal to the Amount of the Year's Rent. It is desirable that the Fine for the 1st Seven Years should be paid before the Tenant enters into the possession of his Farm; and the future Fines should be paid in like Manner at the Commencement of the 8th, 15th, and 22nd Years. It appears to me that the best Encouragement to Improvements in the Infancy of Cultivation will be afforded to the Farmers by this System. It would be desirable to insert a Clause in the Lease by which the Tenant should be bound to leave his Farm at the Expiration of his Term in a proper and unexhausted Condition.

The Division of this Tract of Country into about Thirty large Farms, as proposed by Your Lordship, has my entire approbation; and you will consider yourself authorized to proceed upon the Principles I have recommended above in leasing out the Lands when thus divided.

I feel it necessary to observe with reference to my dispatch of the 14th December 1814, that in Case the Tract of Country in question comprehends any part of the Lands to which the Baron Hogendorp lays Claim, his Claim must be held sacred, and that portion of the Country reserved. I have &c.

(Signed) BATHURST.

P.S. Your Lordship will be pleased to observe that in adverting to the imaginary Mortgage of the Groene Kloof Farms as a security for the Paper Currency, I am far from admitting that there are any grounds for such an Idea; and Your Lordship will

always combat the Idea if it should be started. You will therefore understand that when I suggest Your insuring the Tenants' Houses against any Claims upon these grounds, I only mean that your Lordship should give assurances to this effect, in cases where you find the Apprehension avowed, and where the prejudice on this Subject is likely to be injurious to the letting of the Farms.

[Original.]

Letter from W. HAMILTON, ESQRE., *to* HENRY GOULBURN, ESQRE.

FOREIGN OFFICE, *March 8th 1816.*

SIR,—I am directed by Lord Castlereagh to submit to you, for Lord Bathurst's Information, the Copy of a Note from The Prussian Minister at this Court, requesting that Messrs. Mund and Maire Naturalists and Natives of Berlin may enjoy the Protection of the British Authorities at St. Helena and the Cape of Good Hope where they intend proceeding under the Sanction and Authority of the Prussian Court to make a Collection of Plants and other objects of Natural History: and I am to request that you will lay the same before Earl Bathurst, and move His Lordship to give such direction as he may think fit, and that a Communication may be made to this Department for the Information of the Prussian Government. I am, Sir, &c.

(Signed) W. HAMILTON.

[Original.]

Letter from VICE ADMIRAL TYLER *to* J. W. CROKER, ESQRE.

NEROT'S HOTEL, 13 CLIFFORD STREET, *8th March 1816.*

SIR,—I have received your letter of the 7th instant conveying to me that my Lords Commissioners of the Admiralty having taken into their serious consideration all the circumstances of my conduct, as stated in your letter to me of the 26th ultimo, and my reply of the 5th instant, command you to express the deep regret they feel at being obliged to convey to an officer of my rank

the severe reprimand which my proceedings appear to them to deserve, and you are directed to convey to me such reprimand accordingly.

Also My Lords feel themselves bound further to mark their displeasure by determining not to give that attention to my recommendation for the promotion of officers which they would otherwise have paid to it, on the expiration of my command on the Cape Station. In reply to your letter, I have served forty-five years in the Navy, thirty-three as captain and admiral, and never until now have I had the slightest reprimand. I do in the most undisguised manner declare I had no one motive for not putting their Lordships' orders into immediate execution, but from an error, that I was to bring the Squadron with me. And when I alluded to my illness, I must now declare the cause: I received letters from home of the most afflicting nature, my elder brother who had a large family in a fit of despair destroyed himself, and left them nearly destitute, the effect it had on me was that for nearly three months I could not attend to any business. The Squadron I sent to the Isle of France was of the greatest service to Governor Farquhar, which he expressed to me. On the arrival at Simons Bay of that Squadron I lost no time in returning home.

I hope their Lordships will be pleased to view the circumstances with a more favourable eye. I have erred, but not with intention, I can plead long and faithful service, which some of their Lordships are not unacquainted with. I am Sir &c.

(Signed) CH. W. TYLER.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 12th March 1816.

MY LORD,—I have had the honor to receive Your Lordship's dispatch No. 39 dated 30th October last, in reply to my communication of the 8th July on the subject of certain Colonial buildings which had been occupied by the Naval Establishment in this place previous to its removal to Simons Town, upon which your Lordship informs me that the Lords Commissioners have given orders

to the Navy board for the premises in question to be given up to the Colonial Department under an obligation of restoring them to the Naval Department should they be again required.

I trust your Lordship will excuse my calling your attention a second time to this subject by stating that in my letter of the 8th of July I had submitted to your Lordship that it was intended to make these premises applicable to objects of a permanent nature, viz. the Custom House, for which its store-houses and situation render it peculiarly advantageous, and to an enlargement of the Town Prison which these premises adjoin. Your Lordship will at once perceive that an obligation to restore the premises when required could not be complied with under these circumstances, and moreover I beg to acquaint Your Lordship that the buildings themselves have been suffered to go into extreme decay, so that if the Colonial Government takes possession of them great expense must be incurred in repair, which it could not undertake upon so precarious a tenure and which the entire removal of the Naval Establishment to Simons Town does not appear to render necessary; under these circumstances I hope I may beg a reconsideration of this case and an unconditional order for the restoration of the premises to the Colonial Government to which they belong, and to which their reoccupation will be matter both of œconomy and convenience. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 12th March 1816.

MY LORD,—Together with the Accounts of the Receiver General from the 1st of January to the 31st of December 1815, I have the honour to transmit the several Proclamations and Government Advertisements issued since the 11th of March 1815. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the creation of new to replace worn out paper money.

15th March 1816.

[Original.]

Letter from R. LUSHINGTON, ESQRE., *to* HENRY GOULBURN, ESQRE.

TREASURY CHAMBERS, 22nd March 1816.

SIR,—I have received the Commands of the Lords Commissioners of His Majesty's Treasury to transmit to you for Earl Bathurst's information a copy of the Instructions issued by their Lordships to the Governor of the Cape of Good Hope for the regulating and accounting for the Receipts and Disbursements in his Government, and also a Copy of a Report of the Colonial Auditors dated 9 June last on this subject for His Lordship's information and Consideration; and I am to desire that if Earl Bathurst shall approve of the Suggestions of the Commissioners of Colonial Audit for the Regulation of the several Taxes and Assessments levied in the Districts of the Colony and of the Examination of the Accounts thereof, you will move His Lordship to forward the necessary Instructions to the Governor of the Colony for carrying these suggestions into Effect. I am &c.

(Signed) R. LUSHINGTON.

[Enclosure in the above.]

Instructions from the Lords Commissioners of His Majesty's Treasury to the Governor of the Cape of Good Hope.

First. You are to transmit within three Months after the 31st December in each year a statement of the Receipts and Disbursements of Your Government for the preceding year, together with such Documents and Vouchers as are hereafter specified, to the

Commissioners for Auditing Colonial Accounts at their Office No. 20 James Street Buckingham Gate.

Second. You are to cause the said statement to be examined by the Auditor General, who having satisfied himself of its correctness is to make the following Affidavit before the principal Magistrate of the Colony :

"I, A. B., Auditor General, do hereby swear that I have carefully examined the several Entries appearing both in the Debit and Credit sides of the foregoing statement, and having compared the same with the original accounts of the several Public Departments as Audited in my Office have found them to agree and I do further swear that proper accounts of Particulars, Authorities, and Vouchers in conformity to the existing regulations of Government have been exhibited to me in support of the several Articles of Charge and Discharge therein contained." You will transmit with the general statement the following Accounts and Documents :

The Monthly Accounts of the Receiver General with all the Vouchers.

The Quarterly Accounts of the Civil Paymaster General with all the Vouchers.

A statement of the Receipts and Payments of the Lombard and Discount Bank, with such observations thereon as may be necessary to explain the same, and with the first statement of such Receipts and Payments forwarded after the Receipt of these Instructions, you will transmit a Copy of the Instructions under which the Accounts of that Bank are examined and checked by the Colonial Auditor.

Revenue.

Third. As the details of the collection of the Internal Revenue and Customs are to remain subject to the Investigation and Audit of the local Authorities under the regulations which may have been approved of by His Majesty, You are not to consider it necessary to transmit with the annual Accounts any further Vouchers connected therewith than the following Documents :

Internal Revenue, including the whole Colonial Revenue with the exception of the Customs.

An annual Statement of the Amount actually collected and paid to the Receiver General, in which is to be specified the different sources whence the Revenue is derived and the Amounts

received under each head. This statement is to be sworn to before the Chief Magistrate of the Colony, by the Auditor General as being a correct and true statement of the Revenue actually collected under the heads therein stated as extracted from the Accounts of the different Collectors or other Officers, which have been examined by him and found to be in every respect conformable to the existing Regulations of Government.

The Accounts of the different Collectors or other Officers employed in the Collection of any branch of the Colonial Revenue, without Vouchers, made up Monthly or Quarterly and certified by the Auditor General as having been examined, and passed, in which Accounts a Statement is to be made by each Collector and Sub-Collector of the proportion of each kind of coin as well as paper in which the collection was received by him, supported by an Affidavit that it is a true and faithful statement of his Account, and that he has paid into the Treasury the whole Amount, and in the same proportions of each description of Currency as those in which he received it.

Customs.

The Monthly Accounts of the Collectors of Customs after having been examined and certified by the Auditor General as to their being correct, and conformable to the Regulations of Government, and supported by similar Statements and Affidavits as those required from the Collectors of Internal Revenue.

The Duties levied upon the Cargoes of all Vessels outward bound are to be kept distinct from those received upon Cargoes imported, and in both instances the Amounts accruing from the duties are to be stated under distinct heads in an annual statement to be forwarded with the Accounts, shewing the Customs received upon each of the different species of Commodities imported and exported with the rate of Duty applicable to each and distinguishing Foreign from British Vessels.

Fourth. You are to transmit with the first Accounts which are forwarded to the Colonial Audit Office after the receipt of these Instructions, a complete set of the Regulations and Orders under which the Customs and the Internal Revenue in all its branches are collected and the Accounts of the Collectors or other Officers are examined and checked, with such observations as may be necessary for their explanation, and in future you are to forward

with the Annual Accounts Copies of all such further Regulations and Orders as are connected not only with the Revenue but the Expenditure, and which you may have deemed it necessary to issue during the Year to which the Accounts refer.

Fifth. With a View to keep the Revenue Accounts distinct from those of the Expenditure, you are not to permit any deduction to be made therein for the charges of management or upon any other Account. The Gross amount collected is to be paid into the Treasury, and any expense which may attend the Collection is to be defrayed from Funds to be received from the Receiver General under regular authority from you.

Paper Currency.

Sixth. You are not to issue any Paper Currency beyond the amount of that which you may find it necessary to cancel, without an express authority from the secretary of state. Whenever it shall be deemed expedient by you under the instructions which you may have received, to make an issue of Paper Currency, you are to transmit with the annual Account a Register specifying the number and amounts of the different description of notes; and in future whenever any of the Amount now in circulation or hereafter to be issued, shall be cancelled, you are to transmit in like Manner a Register of the Notes so cancelled with a Certificate from the persons who were appointed to superintend their destruction, that they were actually destroyed in their presence.

Seventh. Upon Receipt of these Instructions you are to transmit to the Commissioners of Colonial Audit a statement of the Paper Currency now in circulation, specifying therein the gross amount which has been issued and the quantity cancelled from time to time.

Eighth. It appearing that several Sums in Paper Currency have been from time to time issued for the Accommodation of different public Bodies which were to be subsequently repaid to Government in regular Instalments and to be then cancelled, You will transmit a statement of the Amount of the Paper Currency which has been issued under this condition and of the Sums which have been since repaid and cancelled. In the event of any of the repayments made under this arrangement having been received into the Treasury and appropriated to the general purposes of the Colony

instead of being destroyed, you will forthwith cancel an amount equal to such repayment and in future you will consider it your duty whenever a portion of these advances is repaid, to direct that the same should be forthwith destroyed in compliance with the specific condition under which they were issued.

Expenditure.

Ninth. The Expenditure of your Government both in the Civil and Military Departments is to be divided into Ordinary and Extraordinary, or Contingent.

The ordinary is to consist of the Salaries or fixed allowances granted to the different Civil and Military Officers of your Government.

The Extraordinary or Contingent is to include all the various Contingent Expenses which it may be necessary to incur.

In the expenditure under both these heads, you will be guided by the following instructions.

Ordinary.

Tenth. Upon receipt of these Instructions you are to prepare a list of the Civil Officers under your Government, and of the Establishment and Salaries or fixed allowances attached to each, together with the Names of the Persons holding those Offices and with reference to the authority under which they have been appointed thereto. This List is to be denominated *The Schedule of the fixed Civil Establishment of the Cape of Good Hope.*

Eleventh. You are also to prepare a List of such staff and other Military Appointments as have been sanctioned by the Secretary of State, and in consequence of which the persons holding them receive either Colonial Pay or Allowances, and you are to state against each the amount of the said Pay or Allowance.

You are also to state in that list, the Rates of Pay and Allowances of every description granted to the Officers and Men of the Cape Regiment.

This list is to be termed *The Schedule of the Fixed Military Establishment of the Cape of Good Hope.*

You are to transmit both these Schedules with the first Annual Accounts which are forwarded after the Receipt of these Instructions to the Commissioners of Colonial Audit.

12th. You are not to make any addition to the Number of Persons stated therein or to the Salaries and Allowances granted to each unless such increase is previously sanctioned by the Secretary of State, and you are to transmit with the Accounts a Copy of the authority under which the addition has taken place.

13th. All payments of Ordinary Expenditure both in the Civil and Military Departments are to be vouched by acquittances in duplicate conformably to the forms now transmitted, with the exception of the Pay drawn by the Officers and Men of the Cape Regiment, which is to be accounted for by the Paymaster of the Corps in strict conformity to His Majesty's Regulations established for Regiments of the Line.

14th. It appearing that the Officers upon the Civil Establishment of the Cape of Good Hope receive in Paper Rix Dollars the amount of their respective Salaries as fixed in the Country, according to the Current Rate of Exchange between the Colony and England, you will transmit with the quarterly Accounts of the Civil Paymaster the Documents upon which that Rate of Exchange is ascertained and authorized.

Extraordinary or Contingent.

15th. This head of Expenditure is to be subdivided into Fixed Contingencies and unfixed contingent Charges. The Fixed Contingencies are such as are contingent in their amount, but certain in their nature, for instance the Expences incurred for the maintenance of the Slave Lodge, as though the amount is uncertain, yet some expence under this head is sure to be incurred.

Upon Receipt of these Instructions you will prepare a Schedule of all such fixed Contingencies as have been sanctioned by the Secretary of State, and you will transmit it with the first Annual Accounts to the Commissioners of Colonial Audit.

16th. You are to take care not to incur in future any expence for any fixed Contingency which is not included in that Schedule, unless you are authorized to incur the same by the Lords Commissioners of His Majesty's Treasury or the Secretary of State for the time being, in which case you are to forward with your Accounts a Copy of your authority for so doing.

17th. You are to transmit in support of all fixed Contingencies regular Vouchers from the Individuals to whom payments are

made, referring in every instance either to the Schedule or subsequent authority under which the Expenditure is sanctioned.

18th. The fixed Contingent charges are such as are not certain to be incurred, and are equally uncertain in their amount, namely the erection or repairs of Buildings or Roads, the purchase of stores, &c. No charge of this description is to be incurred by you either in the Civil or Military Departments without the authority of the Lords Commissioners of the Treasury, or the Secretary of State for the time being, unless the amount of such charge be under £200 Sterling, in which case you are at liberty to authorise the same upon your responsibility.

19th. If however any emergency should arise in which a previous reference could not be had to this Country for a regular authority for incurring any Contingent charge, you are to authorise the same, stating in the fullest manner to the Commissioners of the Treasury and Secretary of State for the time being by the first opportunity the grounds upon which you felt it necessary to deviate from these Instructions.

20th. The following general Rules with regard to Contingent Expenditure both in the Civil and Military Departments are to be strictly observed by you subject to the preceding Instructions:

1st. No unfixed Contingent charge is to be incurred without your previous authority, which is to be accompanied by an Estimate of the probable amount to be expended in all instances, where such authority and estimate can be obtained and Copies both of the authority and estimate certified by the Auditor General will be considered as necessary vouchers in the examination of the Accounts.

2nd. No person interested in the expenditure is to be admitted to vouch for its correctness.

3rd. Upon the completion of any expenditure an inspection of the Work performed or the Article purchased, is to take place, and a Copy of the report thereon duly certified is to be transmitted with the Accounts. In the instance of the erection or repair of Public Buildings, or Works, such report is to specify whether the work has been completed according to the terms of the estimate and in a proper manner. In the instance of the purchase of stores, a report with regard to the quantity and quality of the Articles purchased, and a receipt from the Person in whose charge such stores are placed, are to form a part of the Vouchers.

4th. All charges of a contingent nature are to be vouched by Bills and Receipts in duplicate according to the Form No. 2, and two witnesses to each Receipt are to be required where circumstances will admit of their being obtained.

21st. You are not to admit any Sums to be issued for the Civil and Military Disbursements of your Government unless authorized by Warrants under your hand agreeably to the Form now transmitted No. 3. These Warrants are to be in duplicate, one Copy of which must be forwarded to the Colonial Audit Office with your Accounts, the other must be kept in the Colony with the Vouchers to which it relates, and on the Margin of each Warrant is to be stated the head of Expenditure which it authorises, whether Ordinary or Fixed or Unfixed Contingencies.

22nd. You are to attest the annual statement of the Receipts and Disbursements of your Government, which is to be transmitted under the previous Instructions, by your Oath before the highest Judicial Authority in the Island in the following terms :

“I Governor of this Colony do swear that the foregoing statement according to the best of my knowledge and belief is true in every respect. I do further swear that I have not myself incurred nor according to the best of my knowledge and belief allowed any expence incurred by others on account of this Government either upon the fixed Establishment or for any contingent Expenditure contrary to the Rules and Regulations thereof or to the orders of His Majesty's Government in England, And I do further swear that I have not incurred or allowed any contingent Expence whatever on account of this Colony which I did not believe to be necessary for the service thereof.”

23rd. You are to cause the Auditor General to deliver to you an annual report upon the accounts of the Colony. In this report he is to state what increase or diminution has taken place in the Colonial Revenue and Expenditure within that period, when compared with the Accounts of the previous Year, and he is to report from what causes such Increase or Diminution has arisen. You are to forward a Copy of the said Report and Copies of the proceedings in the Office of the Auditor General regularly with the Accounts, together with such observations as may afford a satisfactory explanation thereof, and you are to transmit with the first Annual Accounts a Copy of the regulations under which the Department of the Auditor General is at present conducted and

the Accounts of the Revenue and Expenditure examined and checked.

24th. You are to forward to the Commissioners of Colonial Audit with your Accounts a regular series of the Cape Town *Gazette* in which the Orders and advertisements of Government are published, and you are to address all your Communications to the Colonial Audit Office under Cover to us.

25th. You are not to consider these Instructions as interfering with any orders which you may have received from the Secretary of State for forwarding to his Department any Accounts or Documents connected with the Finances of the Colony under your charge.

Given under our Hands at the Treasury Chambers, Whitehall, this 18th day of March 1816.

(Signed) LIVERPOOL,
N. VANSITTART,
C. GRANT, JUNR.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 24th March 1816.

MY LORD,—I inclose you herewith the Copy of a letter from His Excellency the Baron Jacobi Kloeit soliciting permission for Messrs. Mund and Maire to visit the Cape of Good Hope and the Island of Saint Helena upon botanical pursuits. These gentlemen have received the permission of His Majesty's Government to proceed in the first instance to the Cape, and I beg to recommend them to your attention and to request you would afford them every facility in your power to promote the Object of their Researches.

I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 26th March 1816.

MY LORD,—I do myself the honour to transmit to you herewith the Copy of a letter addressed to Lt. General Meade upon the subject of the Office of Lieutenant Governor of the Cape of Good Hope, which has been included in the Reductions determined upon by His Majesty's Government. Your Lordship will observe that the Lt. General has been informed that the salary of this Appointment would be continued to him up to the 1st of January 1817, and Your Lordship will be pleased to give the necessary Directions that the amount should be paid to him in Advance.

General Meade will also be relieved from His Military Duties at the Cape by the Arrangements which have been made with regard to the General Staff, which will not admit of the Employment of more than one Major General upon the station.

I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, March 26th 1816.

MY LORD,—Major General Baird having solicited permission to retire from the Service on account of ill-health, a vacancy occurs in the staff of this army and in the Commandantship of Simons Town.

I venture to communicate this circumstance to Your Lordship at the earliest moment, in consequence of the desire Your Lordship has expressed in your dispatches of the 30th July 1814 (No 11) and 9th May 1815 (No. 29) that something should be done advantageous to Colonel Graham in consequence of his services on the frontiers of this Settlement, and perhaps under the circumstance of his having connected himself (by marriage) in this Settlement, no mark of the Prince Regent's approbation

would be more thankfully received by Colonel Graham than his being appointed to succeed Major General Baird on the staff of this army. I have already nominated him to the Commandantship at Simons Town.

The extensive local knowledge Colonel Graham possesses of this Settlement will perhaps induce your Lordship on public grounds to mention Colonel Graham's name to His Royal Highness the Commander in Chief for this vacancy. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 27th March 1816.

MY LORD,—I have the honour to acknowledge the Receipt of your Lordship's Letter No. 45 of the 20th January last, upon the Subject of the inadequacy of Mr. D'Escury's Salary as Inspector of Government Lands.

In consideration of that Gentleman's important and meritorious Services, I have to convey to your Lordship my Sanction to the proposed Augmentation of his Salary from 3000 to 5000 Rix Dollars per Annum, to commence from the 1st July 1816.

I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 29th March 1816.

MY LORD,—I have received the Commands of His Royal Highness the Prince Regent to draw your earliest and most serious Attention to the Adoption of every Measure which may tend to lessen the Public Expenditure, or to improve the Public

Revenue in the Colony which is entrusted to your Administration.

You will be pleased to enter upon a minute Investigation of all the Sources of Public Expence throughout the Colony; you will satisfy yourself of the Necessity of Keeping on foot the several Offices, and the Salaries, Fees, or Perquisites which may belong at present to each Office.

Your Lordship will be pleased to transmit to me a full Report upon these Matters, and point out every item (however minute) in which you conceive that a saving may be effected consistently with what may be due to Individuals or becoming the Character of the British Government.

As it is the Opinion of His Majesty's Government that whatever surplus Revenue may be found to remain (after defraying the Civil Expences of your Government when reduced to the lowest scale) should be appropriated towards the defraying of the Military Establishment which is required for the Security of the Colony, I am to desire that you will state to me not only the Amount which you may consider as available for this purpose, but likewise the Manner in which you may conceive that a Portion of the Military Expence may be thrown upon the Colonial Revenue with the least Inconvenience to the Colony and the greatest Advantage to His Majesty's Service. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, *March 30th 1816.*

MY LORD,—I do myself the honour to acquaint Your Lordship that your Dispatch No. 46 (which was received upon the 21st Instant) has been recommended to the serious Consideration of the Board of Controul for the Affairs of India. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 4th April 1816.

MY LORD,—I have the honour to enclose for your Lordship's information the enclosed Return of Stores shipped from November 1815 to January 1816 for the Use of the Barrack Department at the Cape of Good Hope, and a Return of stores shipped from November to December 1815 for the Quarter-Master General's Department there. I have &c.

(Signed) BATHURST.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas by Proclamation of His Excellency the Earl of M'Cartney, then Governor of this Colony, bearing date the 24th July, 1797, amongst other matters belonging and appertaining to the administration of Justice in this Colony, it was declared, enacted, promulgated, and made known, that the Board of Commissioners for Petty Civil Matters was thenceforth authorized and empowered to try and determine all Suits and questions of Property, amounting to, or valued at, a sum not exceeding Two Hundred Rixdollars.

And whereas great advantage has been found to arise from that summary mode of deciding such questions, and a further extent of their jurisdiction appears highly desirable and useful, I, therefore, hereby declare, direct, and publish, that the authority of the said Board of Commissioners (now the Board of Landdrost and Heemraden of the Cape District) shall extend to all sums and questions of Property as aforesaid, not exceeding Three Hundred Rixdollars, as fully as it now does to sums not exceeding Two Hundred Rixdollars, and to be enforced accordingly and in like manner, of which the Worshipful the Court of Justice, the said Board of Commissioners (now Landdrost and Heemraden of the

Cape District), and all others are hereby directed to take notice, and conform to.

God save the King!

Given under my Hand and Seal at the Cape of Good Hope, this 5th day of April, 1816.

(Signed) C. H. SOMERSET.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the destruction of worn out paper money.

11th April 1816.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

LONDON, April 16th 1816.

MY LORD,—I do myself the honour to transmit for your information an Extract from a Report addressed by the Commissioners of Colonial Audit to the Lords Commissioners of His Majesty's Treasury upon the Subject of the Finances of the Cape of Good Hope.

Your Lordship will observe that the substance of this paper relates to the Accounts of the Districts into which the Colony is divided; and as it appears to me advisable to adopt the plan proposed by the Colonial Auditors, I have to desire that your Lordship would be pleased to give Directions for regulating the Assessment and Appropriation of Money on the Part of the Landdrost in the Manner pointed out by the Auditors and that the detailed Accounts of the Expenditure should be thoroughly examined by the local Authorities preparatory to their transmission to England with the necessary Vouchers for final Settlement.

As the Auditing of these Accounts will be much facilitated by their early Arrival in this Country, Your Lordship will cause

them to be made out at stated periods, and transmitted home by the earliest Opportunities. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 17th April 1816.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's dispatch dated 25th November 1815, and in reply thereto beg to transmit to your Lordship herewith copy of a letter from His Majesty's Fiscal, enclosing the monition which has been duly served upon Mr. Joseph Reed. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from JAMES COBB, ESQRE., to THOMAS PEREGRINE
COURTENAY, ESQRE.*

EAST INDIA HOUSE, the 25th April 1816.

SIR,—I have the honor, by command of the Court of Directors, to acknowledge the receipt of your letter of the 13th Instant, giving cover to the Copy of a Letter which Earl Bathurst had received from Lord Charles Somerset, upon the subject of the exportation of Horses from the Cape of Good Hope to India, for the use of the Cavalry of the East India Company; and I am directed by the Court to inform you that having, agreeably to your desire, taken the subject into consideration, they are of opinion that it would not be expedient or advisable to import Horses into India from the Cape of Good Hope.

Horses in sufficient numbers for the remount of the Cavalry have generally been procurable in India, but as they have been generally thought defective in bone and strength, the Company several years ago established a breeding Stud in England, with a

view to ensure, through the medium of Stallions sent from that Stud to Bengal, the necessary improvement in these important qualities. This object, the Court are of opinion, has been attained, and they have in consequence abolished the home Stud, and mean to discontinue all further Supplies of that nature.

The Several Papers received with your Letter are herewith returned. I have &c.

(Signed) JAMES COBB, Secretary.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

WHEREAS from the numerous manumissions which take place, and the large class of negro apprentices (which has of late years been, by decisions of the court of Vice Admiralty, greatly increased) it appears to be expedient that the most minute precautions should be taken to prevent the possibility of such free persons, or their offspring, merging into a state of slavery, or being confounded with the domestic or other slaves, the property of individuals in this settlement :

And whereas it has not been found sufficient to cause a census of such free persons to be taken, numbers of them being so ignorant as not to be able to comprehend the utility to themselves of making known to the magistrates, hereunto appointed, their places of abode and avocations, and thus leaving it uncertain whether they be or be not free persons ;

Be it therefore, and it is hereby ordered, by virtue of the power and authority vested in me by His Majesty, that henceforward all persons shall be bound to have their slaves registered, according to the regulations hereinafter prescribed, viz.

1st.—There shall be an office established in Cape Town, for the purpose of keeping exact registers of all slaves within the colony.

2nd.—In each of the country districts, there shall likewise be an office for the same object, under the immediate inspection of the landdrost, and in correspondence with, and under the control of the principal office in Cape Town.

3rd.—The office in Cape Town shall be managed by an inspector and assistant inspector, with the necessary clerks. The offices in

the country districts shall be conducted by the district clerks, except in the district of Stellenbosch, where there is no district clerk, there the secretary to the drostdy shall take this duty upon himself.

4th.—Every proprietor of a slave or slaves shall be bound to enter at the office of the district in which he resides, by name and sex, all his or her slaves, stating their respective ages, (to the best of his or her knowledge,) country and occupations, and also to report and receive a certificate of all manumissions, transfers, inheritances, births, deaths, or changes of property, as the case may be.

5th.—The inspector of the enregisterment shall cause an alphabetical register of all proprietors within the Cape Town, the Cape district, and the residency of Simon's Town, to be prepared; and he shall cause to be entered therein, separately and distinctly, each person's slaves, by name, sex, age, country and occupation, carefully noting therein the changes that shall occur, whether by transfer, manumission, inheritance, gift, death, or change of property.

6th.—The secretary to the drostdy of Stellenbosch, and the district clerks in the remoter districts, shall keep registers in their respective districts, and shall be obliged monthly to transmit copy of all their proceedings to the chief office in Cape Town, where registers for each country district shall be separately kept, to be formed from the proceedings of these officers.

7th.—The inspector in Cape Town, the secretary of the drostdy of Stellenbosch, and the district clerks respectively, shall give to each person registering his slaves a certificate of his having so done, which certificate shall be a counterpart of the registry, and thus describe the name, sex, age, country, and occupation of the slaves so registered, and which certificate such proprietor shall have to keep for his own security.

8th.—The inspector in Cape Town or the functionaries alluded to in the country districts, as the case may require, shall grant a like certificate in all cases of the registry of birth, death, manumission, transfer, inheritance, gift or change of property.

9th.—In all cases of the sale of a slave, the party purchasing such slave shall obtain from the inspector in Cape Town, or the functionaries alluded to in the country districts, as aforesaid, a certificate of such transaction, which certificate shall describe

the name, sex, age, country, and occupation of such slave, and shall be granted upon the former proprietor, or his authorized agent, or his representatives, heirs, executors, administrators or assigns, making known to the registry office in writing, that such slave has been sold, and the then proprietor shall receive the said certificate as his deed of transfer, title, and claim to the slave purchased, and for which certificate (which shall be issued on a stamp of five rix dollars) he shall pay an additional sum of five rix dollars towards defraying the charges of the registry establishment.

10th.—A like certificate shall be granted in all cases of gift, inheritance, exchange of a slave, or other change of property therein, upon a stamp of five rix dollars, with an addition of five rix dollars towards defraying the charge of the registry establishment.

11th.—The inspector, or other functionaries, as the case may be, shall grant a certificate of the registry of the birth of a slave, which certificate shall describe the mother of such slave, stating her probable age, country, and occupation, and a charge of one rix dollar shall be allowed for the certificate of registry thereof.

12th.—No charge is to be made for the certificates of registry granted under the provisions of the 7th article of these regulations, nor is any charge to be made or fee to be taken for granting certificates of the registry of deaths.

13th.—The worshipful the court of justice is hereby required to appoint a commission once in each year to examine the registers of the inspector's office in Cape Town, and the documents upon which the registers are prepared, and satisfy themselves that the utmost accuracy is observed in keeping the same, of which they are hereby required to make report to me or to the Governor for the time being; and the commission of circuit is hereby required to examine in like manner the registers of the respective country districts at the annual circuit, and to report their having so done to me or to the governor for the time being.

And whereas it appears to be of the greatest importance that no person shall, under any pretext whatever, evade or neglect to comply with the regulations herein prescribed and made known; be it therefore hereby further declared and ordered that if any person or persons shall have delayed making the return of his, her or their slaves, called for by the 4th article of these regulations,

beyond the 31st of March 1817, for Cape Town district and the residency of Simon's Town, or beyond the termination of the ensuing year 1817 for the respective country districts, such person or persons shall be considered as having manumitted the slave or slaves not then registered; and the worshipful the court of justice is hereby directed, in cases of applications for freedom of any slaves so situated, not to require other proof thereof than the mere want of registry as herein prescribed, except in such cases in which the proprietor or proprietors of a slave or slaves whose registry shall have been omitted, shall, upon reasons "founded in the law," be justified in his, her, or their claim for relief.

And be it likewise hereby further ordered that no infant born subsequent to the date of the present proclamation shall be recognised as slave, unless the birth of such infant be duly registered, as prescribed by the 4th article of the present regulations, within six months after the birth of such infant.

And it is hereby further ordered that in all cases of manumissions, deaths, inheritances, or changes of property, the party or parties failing to notify such circumstance to the inspector's office, or to the registry office in the country districts, as the case may be, such person or persons shall be liable to a penalty of 100 rix dollars in each case, which penalty shall be recoverable upon proof of the contravention of this regulation being brought before commissioners of the worshipful the court of justice for this town, district, and residency of Simon's Town, or the court of landdrost and heemraaden in the country districts.

And it is hereby further directed and made known, that no claim to a slave shall be held to be valid, unless the transfer of such slave, or the change of property therein, shall appear upon the registers of which the party claiming the slave shall have obtained a certificate thereof.

And in order that no person may plead ignorance hereof, this shall be published and affixed in the usual manner.

God save the King!

Given under my hand and seal at the Cape of Good Hope, this 26th day of April 1816.

(Signed) C. H. SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 1st May 1816.

MY LORD,—Having caused your Lordship's Dispatch No. 46 of the 24th January last recommending the Exportation of Horses from the Cape of Good Hope to India for the Cavalry and Artillery Service of the East India Company, to be referred to the Consideration of the Commissioners for the Affairs of India, I transmit for your information a Copy of the Answer which has been received by my Under Secretary, by which it appears that the Chairman and Deputy Chairman of the Court of Directors of the East India Company are of opinion that the Measures adopted for improving the Breed of Horses in India will prove sufficient to meet the Demands for the Cavalry Service in that Quarter.

I have etc.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 3rd May 1816.

MY LORD,—Having caused your Lordship's Letter of the 30th October No. 41 to be referred with its several Enclosures to the Consideration of the Lords of the Committee of Privy Council for Trade, I have now the honour to transmit, for your information, the Copy of the Answer which has been returned, by which it appears that the Lords of the Committee concur in the legal Opinion which Mr. Reeves has given with regard to the Case of the Brig *Maria*, viz. that American Produce may be brought from St. Helena to the Cape of Good Hope in a British Ship duly registered and navigated under the general Colonial Law, which in this Instance is made by the Order in Council of the 24th September 1814, the Law of the Cape of Good Hope. I have &c.

(Signed) BATHURST.

[Original.]

Letter from THOMAS COURTENAY, ESQRE., *to* HENRY GOULBURN, ESQRE.

WHITEHALL, May 8th 1816.

SIR,—I have the satisfaction of informing you for Lord Bathurst's information that I have been enabled and instructed to make a further repayment of £2,000 on account of the Advances made to the Agents for the Government of the Cape of Good Hope by the Lords Commissioners of His Majesty's Treasury.

This payment will take place on the 1st of next Month (the Bill remitted to me then being due), and I have in consequence of a desire formerly expressed on the part of the Lords Commissioners of the Treasury acquainted their Lordships with my intention.

I shall also be enabled to make good the Advances on account of the Expenses of the Colonial Audit Office mentioned in my Letters of 7th January 1815 and 8th of January last; and I trust that I shall not have occasion during the present Year to solicit Lord Bathurst on the part of the Cape Government for any Issue of Money. I have &c.

(Signed) THOS. P. COURTENAY,
Colonial Agent for the Cape of Good Hope.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas the blessing of Peace being now restored to the British Empire, it does not appear to be longer necessary or expedient to continue, within the limits of this Government, the restrictions laid by His Excellency Lieut. Gen. Sir David Baird upon the Exportation from hence of Gold and Silver Specie: Be it therefore hereby made known, that I have thought proper to revoke so much of the Proclamation issued by His Excellency Sir David Baird aforesaid, on the 23rd January, 1806, which forbids the Exportation of Gold and Silver Currency, and to repeal entirely the Penalties affixed by such Proclamation, as well as every other

Penalty attached to the Exportation of Gold and Silver Specie or Currency, (above the value of Ten Pounds Sterling), by any former Proclamation or other Regulation of this Government. And it is hereby made known, that the Import or Export of Gold and Silver Specie shall henceforward be perfectly free; provided always, that regular Permits be obtained for the Import or Export thereof, from the Custom Department, as in cases of other Merchandize, but subject to no Custom or other Duties whatever.

God save the King!

Given under my Hand and Seal at the Cape of Good Hope, this 10th day of May, 1816.

(Signed) C. H. SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 18th May 1816.

MY LORD,—In transmitting to your Lordship the several Proclamations, and Government Notifications from the commencement of the year up to this date, I beg particularly to call your Lordship's attention to one dated the 26th of last month, which I found it necessary to issue, directing a general and specific registry of the slave population of this Colony. I am not aware of any successful attempts having been made to introduce clandestinely, contrary to the wise and beneficent regulations of the British Parliament, any additional slaves into this possession, nor does the annual census (opgaaf), which is taken with much minuteness, afford grounds for supposing that any such practice has existed or has been tried; but some attempts to consider young apprentices in the class of slaves (which is at present under the strictest investigation) and the facility with which in a widely extended and thinly populated country as this is, it might be possible to evil minded persons to attempt to confound a part of the free black population with the class of slaves, rendered it extremely advisable not longer to delay the measure to which I have given effect.

Some publications which have been received here subsequent to

the promulgation of this regulation, lead me to suppose that a similar measure is in general contemplation for the British Colonies in the West Indies; should it be the intention of His Majesty's Government to extend any provisions of that nature to this Settlement, the measure in question will be preliminary thereto, and not interfere with any more complete system which your Lordship may think it wise to direct.

Much facility is afforded in the execution of this measure in the regulations respecting the annual census now in force, which takes much from the appearance of Novelty, which might have rendered this measure in some degree obnoxious; but I have no reason to suppose that any such feeling has been created by it; on the contrary, the registers have been opened, and many of the inhabitants have already availed themselves of an early opportunity of inscribing the descriptions of their slaves as required.

I have much pleasure in informing your Lordship that I have no reason to think that the expense attending this measure will be any additional charge to the Colonial Government, having fixed the salaries of the persons who will be employed in it at the lowest possible rate, the amount of which, according to probable calculations, will be more than defrayed from the charges to be made upon the enregisterment of transfers, gifts, births, and manumissions, as clearly expressed in the Proclamation.

I have nominated Major Rogers (a gentleman most competent in business and in whom I can place the fullest confidence) as Inspector of this enregisterment at a salary of 3,500 Rixdollars, and Mr. Schonberg, a gentleman long in the confidential employ of this Government, as his assistant with a salary of 2000 Rixdollars, which I trust will meet your Lordship's approbation.

In the country districts I have placed the management of the Registers in the hands of the district clerks, whose time appeared not to be fully occupied, and I have increased their very moderate salaries in consequence of this additional trouble 500 Rixdollars per annum, which at the present rate of exchange is not more than £55 sterling. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*CAPE OF GOOD HOPE, *May 18th 1816.*

MY LORD,—By the reports of the Debates in the House of Commons of the 4th of March, I perceive that Lord Palmerston in notifying the reductions which would take place by the Peace Establishment, stated, amongst others, that the Commander of the Forces at the Cape was to be done away with, and the command held by a Lieut. General.

I feel it my Lord so much the duty of every man in public life to be ready at all times to sacrifice his own personal advantage to the interests of the Country, that were my interest all that was concerned in any changes in the command here, I should not offer a remark upon it, but the Military command on this Station is so closely interwoven with the interests of the Colony, that it would be attended with the most pernicious consequences to separate it from the person who holds the Government. Experience has proved this fact to Lord Liverpool on more than one occasion. In the latest instance the difference between Lord Caledon and General Grey (two gentlemen of the most modest dispositions) forced Mr. Alexander (the Colonial Secretary) to leave the Colony upon 12 hours notice and proceed to England. Mr. Alexander informs me that he had frequent communications with Lord Liverpool on the subject of these differences, and the result was the extreme difficulty of drawing any line, and that all must depend on the discretion of the parties. Lord Liverpool however (Mr. Alexander says) felt that that was so little to be relied on in the perpetually recurring questions, that his Lordship told Mr. Alexander of his determination always to combine the civil and military power here in one person. I feel this strongly my Lord at the present moment, had I, in my civil capacity, had to consult the Commander of the Troops at the moment of the late insurrection on the Frontiers and had the officer applied to differed in opinion, or hesitated, the promptitude with which this Force was applied on that occasion might have been checked, and serious evil have ensued in consequence.

In short, my Lord, the more I consider the nature of this Government the more convinced I am of the *necessity* of com-

bining the civil and military authorities. Deeply interested therefore My Lord in the welfare of this Colony and in the facilities of my own administration, I take the liberty of addressing your Lordship to say, that if the Prince Regent will accept of my services in the command of the Troops here, I shall be proud to hold it upon any terms or with the emolument of any inferior rank His Royal Highness may deem it advisable to place me on, as my remuneration is quite a secondary consideration in comparison with the evils that I foresee would arise from a separation of the authorities. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Memorial of BREVET LIEUTENANT COLONEL JACOB
GLEN CUYLER.

To His Excellency the Right Hon'ble General Lord C. H. Somerset, Governor and Commander in Chief of the Cape of Good Hope, &c., &c.

The Memorial of Brevet Lieu^t. Colonel Jacob Glen Cuyler of the Cape Regiment and Landdrost of Uitenhage

Most Humbly Sheweth!

That Your Memorialist has been upwards of Ten Years employed on this Frontier and Placed in many trying Situations in the discharge of the arduous duty intrusted to him, being now advanced in life and having married in this Country, and an encreasing young family for which he would wish to provide, Most Humbly solicits, should his conduct have met Your Excellency's approbation, that it may graciously please Your Lordship to grant unto him the Estate he now holds under the title of perpetual quit-rent at 125 Rixdollars per annum called *Doorn Kraal*, in Property (Eigendom). And Your Memorialist as in duty bound shall ever pray.

(Signed) J. G. CUYLER.

UITENHAGE, 20th May 1816.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 21st May 1816.

MY LORD,—Your Lordship has such ample access in the Colonial Office to all details respecting the paper currency of this Settlement, that in communicating to your Lordship a measure I have lately found it necessary to adopt, I shall only have to bring the leading features attending the nature of our circulating medium to your attention, in order to give your Lordship an explanation of the effect I expect from the line I have thought it expedient to pursue.

Your Lordship then is aware that the only circulating medium here is a paper currency calculated in Rixdollars. The Rixdollar was originally issued at 48 stivers Dutch money, which is rather more than as many pence English. The value of the Rixdollar in exchange was at the period of (and for some time after) the capture of the Colony, at par, that is at 4 shillings English the Rixdollar. As British Merchandise subsequently flowed in, which could only in this non exporting territory be repaid to the British Merchants by remittances in Bills, the exchange gradually rose, as it might naturally have been expected to do, and the paper currency of the Colony became in so far depreciated. But the effect of the rise of exchange to its present enormous height (upwards of 90 per cent) has not been entirely caused by the competition created by these obvious and fair Mercantile proceedings, but may be greatly attributed to another cause which I shall now endeavour briefly to explain.

The pay of the Forces here is issued to the Troops in Spanish dollars; as these do not pass current, the soldiers upon the receipt of them convert them into paper currency, and there is a Jew broker who, supported by other capitalists, has made it his trade to purchase these dollars for the purpose of disposing of them again to Government in exchange for Bills upon England.

The Assistant Commissary General draws, after public tender, two descriptions of bills, the one for paper currency for the payment of the extraordinaries of the Army, the other for Spanish dollars for the payment of the subsistence of the Troops. The first description of bills come to open competition, but from the

cause I have above endeavoured to explain the second description falls almost entirely into the hands of this broker or his Agents.

Now the natural consequence is that this man becomes a monopolizer of almost the only export commodity of the place, to the great injury of the mercantile part of the community and to the absolute ruin of the Colonial Finance. The number of bills issued for both the above services not being sufficient for the wants of the importing Merchants, it is evident that the person who can obtain possession of one half of them may command what price he pleases for them from persons anxious, and indeed forced, to make remittances to their British correspondents.

Thus then, the rise of exchange has been gradually effected. This broker obtains nearly one half of all the bills issued. He has them for sale, and, taking the highest tender made to the Commissary General for bills against currency as his standard, he exacts from the remitter as much beyond that as he possibly can ; and the rate he fixes upon the bills he has for sale becomes the Standard for the next tenders to the Commissary General, he again employing the currency he receives from the remitter in the purchase of Spanish dollars from the soldiers.

It might at first sight be imagined that such rise would be beneficial to the public, inasmuch as by this means a greater number of Rixdollars is obtained for a pound sterling than a par of exchange entitles it to ; but a little examination will prove the fallacy of such supposition, for in proportion as the Colonial currency has been depreciated, the prices of food, labour, forage, fuel, &c., have increased, without adverting to the increased high prices all imported commodities must bear to enable the trader to make any return whatever. Thus the apparent gain to the public by the high rate of exchange is sunk in the increased prices payable for all articles purchased with the paper currency proceeds of these bills.

But while the British Treasury does not in effect gain by the measure, it must be obvious to your Lordship that the Colonial Government whose revenue is entirely receivable in paper currency must be under the greatest embarrassment now that its income (that is its currency) is so vastly depreciated, while the small capitalists, the annuitants, and the civil servants whose salaries are paid in so many Rixdollars per annum are nearly ruined.

The fear of being forced to have recourse under increasing

difficulties to the British Treasury to aid our ordinary expenditure, induced me early to watch the results of the competitions for bills, and there has appeared to me to be but one way of palliating the evil complained of, by endeavouring to get rid of this intermediate man, without however checking the competition which it is fair to the public should be excited amongst the real remitters. I have therefore directed the Assistant Commissary General when he next advertizes for bills to give notice that such bills will only be made payable to some individual or firm in England. I expect from this measure to put a stop for the present to a part of this system of jobbing. It is true that this will not prevent the party obtaining bills from remitting them to his own correspondents and drawing in favour of remitters to a like amount; but independent of the probable want of connexion for such arrangement, the public will never have that confidence in a private bill which public bills possess, and thus in a great degree the negotiation of the Commissary General's bills will be confined to the class of real remitters, and in fact the public, not an individual, will gain the whole advantage (if any) derivable from the rate of exchange.

Should this measure meet, as I trust it will, your Lordship's approbation, I am in the hope your Lordship will communicate on the subject with either the Lords of His Majesty's Treasury or the Commissary in Chief, according as the case may require, in order to do away any unfavourable impression which a first view might give to a novel arrangement, and I am the more sanguine in expecting an approval and support in a continuance of the system, from the success of the former measure I adopted for reducing the price paid by the Commissary General for Spanish dollars, which had the effect of lowering them from 7 shillings sterling, which was the demand made for them, to 4s. 6d. at which they are now furnished for the use of His Majesty's Forces, thereby making a saving of the greatest importance to the British Treasury.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Letter from MR. G. BEELAERTS VAN BLOKLAND *to*
LORD CHARLES SOMERSET.

CAPE TOWN, 24th May 1816.

MY LORD,—Availing myself of Your Lordship's kind offer to write to the Secretary of State on the subject of some papers and trifling articles forwarded to me by my relations in Holland, via England, and detained by the Custom House Officers in the latter country, I beg leave now to state, that agreeably to a letter from my brother (Mr. Beelaerts at Utrecht) of the 20th December 1815, in the course of that year, (the precise dates not mentioned) there were forwarded to me two different parcels, viz.

One containing a copy of the will of my grandfather, item of the will of my father, item a codicil of my father, item an inventory; Netherland State *Gazette* from 26 May to 1st of June; Register of the said *Gazette* for 1814 3rd and 4th volumes; together with some little parcels of thread, tape, black sewing silk, pens and a letter from my mother, with a dressed doll as a present for the children.

The second parcel contained the following books, viz.

Tollens's political writings, Vol 1. (Dutch), Tydeman's disquisitions on the Hoeks and Cabeljauws' dissensions (Dutch), Le Livre des petits Enfants abcdaire, Leçons pour Les Enfants par Mr. Berbauld, 4 parties. Some ladies and gentlemen's leather gloves, item for children, 4 pair ladies leather shoes, and the Netherland State *Gazettes* 2 June—21 July.

Your Excellency will, I am assured, be satisfied that the articles abovementioned are not a matter of trade; but merely of a private nature, that their value is trifling in itself and are only of importance as marks of attention between those who forwarded them and those for whom they were intended; the *Gazettes* are of some value to me on account of the inland concerns of my native country, and to complete the collection which I receive from time to time. The letters and other papers are of more consequence, as relating to my own private family concerns; and can of course be of no use to anybody else, so that their detention can only expose me to a great loss of time and to an additional expense in requiring fresh copies; if nothing else therefore can be recovered, or if such

recovery would be attended with too great expense, I am ready to abandon them to their fate, and confine myself to the family papers, for the restoration of which I shall feel much obliged to Your Lordship.

I suspect that some neglect or irregularity may have taken place at the importation in England, but from the trifling value, I cannot conceive that any illicit traffic or defrauding of Government can have been intended.

Should Your Excellency's endeavours prove of efficacy, either for the whole or a part of these articles, I have authorized the House of Mess^{rs} G. & I van Nich & Co. to take charge of them, to whom I therefore request they may be delivered.

I have to apologize for the trouble I presume to give Your Lordship on the present occasion, and I have &c.

(Signed) G. BEELAERTS VAN BLOKLAND.

[Original.]

Letter from S. R. CHAPMAN, ESQRE., *to*
HENRY GOULBURN, ESQRE.

OFFICE OF ORDNANCE, 24th May 1816.

SIR,—It having been deemed expedient that the Drivers and Horses attached to The Royal Artillery at the Cape of Good Hope should be discontinued as a British Establishment, I am directed by the Master General to acquaint you therewith for the information of Earl Bathurst, in order that any Equipment of this nature, should such be required in time of Peace, may be provided for on the Colonial Establishment. I have &c.

(Signed) S. R. CHAPMAN.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas it has been represented to me, that great benefit would be received by the Merchants and Traders of this Colony, if the

Duties charged upon the re-export of Goods, Wares, and Merchandize, imported from Great Britain and Ireland, or from the East Indies, were repealed and done away; and it being my anxious wish to render every facility in my power, consistent with the Security of His Majesty's Revenue, to the Commerce of this Settlement, I have directed, and it is hereby made known, that from and after the 1st of the ensuing month of June, all Duties at present chargeable upon the re-export of any Goods, Wares, or Merchandize, imported into this Colony, from any part of His Majesty's Dominions, or from the East Indies, shall cease and determine, of which the Collector and Comptroller of His Majesty's Customs, and all others whom it may concern, are to take due notice.

God save the King!

Given under my Hand and Seal at the Cape of Good Hope, this 24th day of May 1816.

(Signed) C. H. SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 25th May 1816.

MY LORD,—I have been informed by the Board of Ordnance that it has been deemed expedient to discontinue as a British Establishment the Drivers and Horses at the Cape of Good Hope.

In stating this to your Lordship I have to add that I do not conceive it necessary that an Equipment of this Nature should be maintained at the Expense of the Colony. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 25th May 1816.

MY LORD,—This letter will be delivered to your Lordship by Mr. John Exall, late of Guildford in Surrey, who has been recom-

mended to me by several Gentlemen who have borne satisfactory testimony to his Character. His Object in proceeding to the Colony under your Lordship's Administration is to settle there, and I have to request that you would grant him a portion of land capable of Cultivation or a long lease of good land under a Crown tenure, according as Mr. Exall may possess the Means of cultivating the same. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 27th May 1816.

MY LORD,—I take the liberty of forwarding to Your Lordship a copy of a letter from Mr. Beelaerts van Blokland, who is Secretary to the Court of Justice here, praying my interference to procure certain family papers and other trifles which having been forwarded for him from Holland via England have been, for some irregularity, stopped at the Custom House in England. Should it be in Your Lordship's power to facilitate the restoration of these articles, I shall be very much obliged to Your Lordship to do so, Mr. Beelaerts being a member of this Government who merits my good offices on all occasions. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 7th June 1816.

MY LORD,—I have the honour to enclose to Your Lordship a copy of a memorial which has been laid before me from Lieut. Colonel Cuyler of the Cape Regiment, praying that certain lands which he holds on perpetual quit rent at a rent of 125 Rixdollars annually, may be ceded to him in freehold. As I do not feel myself authorised to alienate any part of the Crown revenues, I beg to refer this case to Your Lordship and, in so doing, to recom-

mend strenuously a compliance with Lieut. Colonel Cuyler's request, the sacrifice thereby made not being equal to £15 sterling does not appear to be of any great importance, while the difference which attaches to the idea of freehold tenure in this country as contrasted with the new title of perpetual Quit rent generally adopted since my Predecessor's government is very great. The services rendered by Lt. Col. Cuyler on the frontier have been very conspicuous both in the late occurrences and at the period of the expulsion of the Caffres from the Suureveld, which was effected in great measure through his exertions, and it will be therefore peculiarly agreeable to me if his request shall meet your Lordship's sanction. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Letter from CHIEF JUSTICE TRUTER to DEPUTY SECRETARY BIRD.

CAPE TOWN, 7th June 1816.

SIR,—In answer to your letter of the 30th April last, enclosing Copy of a Memorial from C. M. Villet, praying to be admitted a Burgher of this Colony, I have the honor to say, for the information of His Excellency the Governor and Commander in Chief, that as far as I have been able to ascertain on the establishment of this Colony by Burghers of the same were meant "free persons who came to domiciliate here with the permission of the Dutch Government, then represented by the Directors of the East India Company, and with the liberty of carrying on all such trades as were consistent with the nature of the Settlement, of hereditarily possessing Estates and other landed property, and with the right of not being deprived of their privileges unless by the commission of crimes against which the laws had enacted a punishment carrying with it the loss of the Burgher rights."

From most of these rights and privileges the servants of the East India Company were excluded, they were not allowed to possess lands in property, nor to carry on Burgher trades, and when the service of the East India Company required it, or when they became culpable by some transgression, they were liable to

be sent to other Establishments, and in the latter case even to be removed out of the Colony, without being allowed in any wise to oppose.

Even those who were discharged from the service of the East India Company, altho' they were less limited with respect to the possession of lands and the carrying on of trade than those who were actually in the service, were nevertheless, if they had not specially obtained the rights of Burghers, obliged to refrain from baking, ploughing, farming, retail licences, &c., these being more particularly considered as Burgher trades. They were also liable, if the service required it or if they misbehaved, to be called upon to serve again. Children of Company's servants, as well as those of Burghers born in lawful marriage, were considered as native Burghers, without their requiring any other title thereto, but all other persons who successively arrived here, not then or previously in the service of the East India Company, or not having specially obtained Burgher right, were considered as strangers, had only precarious residence here, were not allowed to possess immoveable property, and were obliged on the first order of the Government to leave the Colony. The Government here from time to time also granted the rights of Burgher by public acts, both to strangers and former Company's servants, but whether the right of Government to do so *proprio marti* had been doubted, or whether Government shewed too much indulgence in this subject to strangers, that is persons of foreign nations, certain it is that a great and considerable part of the Burghers in the year 1780 complained to the Government in Holland of the levity of the Governor here in granting letters of Burghership, and specially requested "that neither English, French, or other foreigners should be allowed to settle at the Cape or possess in property or on hire houses to exercise Burgher trades, or under pretext of seeking for plants, take journeys into the interior country, or be allowed to become Burghers if they had not previously been in the Company's service."

The disposition of the Directors in Holland on this request appears in their letter to the Governor and Council at the Cape of Good Hope dated the 5th December 1783, and it is as follows: "That no stranger shall be admitted to carry on any Burgher trade at the Cape without *our* special consent." I cannot with certainty say that this order has not been now and then diverted

from by the Colonial Government, but these deviations have not been frequent, and therefore we are at liberty to say that said order with regard to the admission of strangers to the rights of Burghership still existed in the year 1795, when this Colony surrendered to His Majesty's arms.

Since that period an unavoidable confusion has arisen in this respect. Many of the disbanded Dutch troops, both by marriage and long residence in the Colony, had contracted connections which their interest would not allow them to give up without necessity.

The Revolution in France and Holland, and the uncertain state of things all over Europe, made it desirable for others, if they could, to remain here. A concourse of seafaring strangers were obliged to be landed from foreign ships brought in and condemned by the Vice Admiralty Court. Under all these and similar circumstances it became a hardship to refuse foreign individuals to stay in the Colony who were provided with good recommendations or could give security for their good behaviour, and consequently applications to the British Colonial Government for that purpose seldom met with any difficulties, but this leave to remain here only consisted in a permission revokable whenever Government thought proper to discontinue it.

In the mean time it is evident that notwithstanding these limitations confusion must have arisen, both because the number of those new inhabitants was very great, as well as that several of them by degrees get into so many Burgher connections, real and personal, that not only the exercise of trades was not longer considered as an actual grievance, but even the existing distinction between Burghers and other inhabitants seemed to have vanished.

In this manner the Colony in the year 1803 was returned to the Batavian Republic the Government of which acknowledged the distinction between Burghers and other inhabitants, with this limitation however, that inhabitants to whom only a temporary residence was allowed might also carry on Burgher trades during the time of their stay, while for the rest the principle was "that no person, excepting those who came hither by authority of the higher boards in Holland, should be granted Burghership unless he had fully evinced to have deserved it by his good conduct during a residence of three years."

This principle has been strictly observed, and great caution was

at that time used in granting the right of Burghers to strangers, not only to individuals of nations at War, which was then the case with the English, but also to those who might eventually be engaged in War with the Batavian Republic, so that I doubt whether the Memorialist, Villet, considered as a Frenchman, could have obtained from the Batavian Government anything further than the rights of inhabitant, for in an official correspondence between General Janssens and the Attorney General Beelaerts I find in a letter from the latter dated the 13th October 1803, the following passage: "I only conceive it necessary on this occasion to offer a general consideration whether with respect to foreigners (that is persons not born in the Batavian Republic or their Colonies) it would not be advisable to adopt as a rule, never to grant them the actual right of Burghers, but only the right of dwelling here, and carrying on Burgher trades during a certain limited time of trial or till public notice to the contrary. The ground of this my opinion is that one cannot well say beforehand in what relative situation the Government here may eventually be brought with respect to foreigners, by occurrences elsewhere, and therefore that the relative situation of a stranger once granted the actual rights of Burghership, might prove incompatible with the interest of the Colony or of the mother country."

To this the Governor answered in the following words: "It is a satisfaction to me to have the honor to inform you that we think exactly alike about granting residence and Burghership."

Although now, both from this correspondence as well as from the principle adopted by the Batavian Government in granting the right of residence, it appears to follow that the obtaining of such right included that of carrying on trade, in my humble opinion however it speaks for itself that the right of residence, as long as it is not succeeded by that of Burghership, remains of a precarious nature, and that the right of residence can for many political reasons be withdrawn by the Government, while the right of Burghership is so inseparably binding a man to the society that in the common course of things nothing else than crime can dissolve his connection with the same.

From this we may, in my opinion, justly deduce that with respect to those who have only the right of residence Government is at liberty, as such is not done by the Colonial laws for as far as I know, to prescribe such limitation with regard to the extent

of their establishments as may be deemed advisable for the general interest of the Colony with regard to temporary inhabitants.

I allude to the present time now that this Colony has been finally ceded to His Britannic Majesty, and consequently all those who are Burghers of the Colony, from the moment they declare either by word or deed that they will remain here as such, are, and unalterably continue to be *British subjects*. While the inhabitants who have merely the right of residence, and who according to the letter of the principle adopted by the Batavian Government are still on trial, as long as they have not obtained the rights of Burghership cannot be considered as having abdicated their mother country and become subjects of Great Britain, in one word they are not anything else than foreigners having permission to remain among us, entitled only to temporary protection, and therefore only bound to temporary allegiance.

This is with due submission my legal opinion with regard to the respective personal situations of Burghers and inhabitants in relation to this country, and it is on the grounds hereof that the 5th Article of the Capitulation of the 10th January 1806 was proposed to the British Commanders, and by them agreed to, viz. "that the distinction existing between Burghers and other inhabitants shall be the same and remain under the same limitations as under the Dutch laws."

Proceeding now to answer the question mentioned in the latter part of your letter, viz. what the law of this Colony is with respect to the admission of foreigners to remain as Burghers in the Colony, and to possess landed property, I am humbly of opinion that the existing law of the Colony, in which light I consider the order of the Directors dated 5th December 1783, the Dutch Governor had not the power without the *special consent* of said Directors to grant foreigners the rights of Burghership. I consider the principle adopted under the Government of General Janssens as a deviation, committed through ignorance, of the existing law, and as the admission of foreigners as Burghers without special reasons might be prejudicial to the Colony and the mother country, I conceive that this deviation could in time yield just grounds of complaint for the Burghers of this Settlement.

I am therefore of opinion, according to the law now existing in this Colony with regard to the admission of foreigners to Burgher-

ship, that the request of Memorialist cannot be granted without the special consent of the Government in England. What relates to the possessing of landed property by foreigners having permission to reside, there does not exist here, for as far as I know, any law against it, wherefore it is that many foreigners here possess landed property without being Burghers, but the nature of the case brings with it, as I have already stated, that he who has only a precarious residence must be subject to such restrictions respecting the extent of his establishment as the public interest requires, and as the Colony is now finally an English settlement there does not in my opinion exist any reason why His Excellency should in the least hesitate to adopt such provisional regulations as His Excellency in the spirit of the British administration may deem best adapted for the interests of the Colony.

I have &c.

(Signed) J. A. TRUTER.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas the Paper Money stamped and signed according to the Proclamation of the 17th ultimo, to the amount of Rds. 25,000, has been placed in the custody of F. Dashwood, Esq., His Majesty's Receiver General, in order to be exchanged for an equal sum of worn-out and defaced Money, which is also in the hands of said Receiver General.

And whereas Landdrost and Heemraaden of Stellenbosch have repaid to the Colonial Treasury, the sum of Three Thousand Rds., being the eleventh instalment of the sum of 75,000 Rds. which has been created and advanced by the Batavian Government in the year 1804 for the special purpose to repair the damages occasioned by a fire in that Village, and which Money was to be repaid by instalments of 3,000 Rds. per annum, and publicly destroyed, as directed by a Proclamation of the Governor and Council of the 30th Sept. 1804.

These are therefore to require and direct, that D. Denyssen, Esq., His Majesty's Fiscal, R. Rogerson, Esq., Ass. Commissary General, together with two members of the Court of Justice, and two Members of the Burgher Senate, to be appointed by the Court and Senate, do meet at the Office of Revenue, on Wednesday morning the 12th instant, at 10 o'clock, and that they do then and there receive from F. Dashwood, Esq., His Majesty's Receiver General, the abovementioned sums of 25,000 Rds. and of 3,000 Rds., and after examining the same, that they do in their presence in the Court-Yard of the Castle, cause the same to be publicly burnt and destroyed, and in case the examination of the several Pieces of Money, which constitute the above sums of 25,000 and 3,000 Rds. cannot be concluded in one day, they are then and in that case to adjourn and proceed therein as shall appear best to them, but so as to finish and conclude in the shortest time possible. And it is further directed, that the several Persons above-mentioned do sign two Certificates of their proceedings herein in the English and Dutch Languages, to be drawn up and prepared by Mr. S. V. Cloete, Clerk in the Colonial Secretary's Office, (assisted by the Sworn Translator to the Government), under the direction of the Fiscal, one of which Certificates is to be delivered to F. Dashwood, Esq., as his discharge of the sum of 28,000 Rds. with which he now stands charged to His Majesty, and the other is to be lodged in the Records of the Court of Justice by the Fiscal and the Members thereunto belonging, at the next meeting, after the signing as above directed.

And His Majesty's Fiscal is hereby also directed to require and demand of the Court of Justice, within fourteen days after the lodging of such Certificate above mentioned, that they do pass a Public Act under their Hand, and Seal of the Court, certifying and declaring all their proceedings, which have been held and have taken place with regard to the stamping and signing of the several Pieces of Money as expressed in the Proclamation of the 17th ultimo, as also of the exchanging and destroying of worn-out and defaced Paper Money equivalent thereto, annexing to or including in such their Act, authentic Copies of the several Certificates lodged, as directed in their Records, which Public Act is to be presented to me, to be disposed of in such manner as I may think expedient for the satisfaction of His Majesty in the premises.

For all which this shall be to all concerned a full and sufficient Warrant and Authority.

God save the King!

Given under my Hand and Seal at the Cape of Good Hope, this 7th day of June, 1816.

(Signed) C. H. SOMERSET.

[Copy.]

*Letter from the Colonial Auditors to the Lords Commissioners
of the Treasury.*

COLONIAL AUDIT OFFICE, 9th June 1816.

MY LORDS,—Having had access to the correspondence in the Office of the Secretary of State relative to the Accounts of the Cape of Good Hope, and having communicated with Sir David Baird, Earl Caledon, and Sir John Cradock, the late Governors of that Settlement upon the subject of its Colonial Accounts, it now becomes our duty, in obedience to the commands of your Lordship, to report from what period in our opinion the examination by us of those Accounts may most advantageously commence.

It appears that the Cape of Good Hope surrendered to His Majesty's Arms on the 10th January 1806, and that the Government of the Colony from that day was vested in Lieut. General Sir David Baird, who continued to administer it until towards the latter end of that year, when he returned to England.

Upon his Departure Lieut. General the Hon^{'ble} H. Grey acted as Governor until the 22nd May 1807, when Earl Caledon arrived and assumed the Government. His Lordship it appears continued in the Colony until towards the close of 1811, when he was relieved by Sir John Cradock, who was succeeded about the beginning of 1814, by the present Governor Lord Charles Somerset.

Previous to our making any report to your Lordships upon the Accounts of the Cape of Good Hope, we deemed it expedient to ascertain from the former Governors of that Colony, who are at present in this Country, what instructions they had been furnished with for the management of the Colonial accounts, and for their transmission to England, what course they had adopted for their

due examination and control, and whether any difficulty existed, in their opinion, to the Accounts of their respective Governments being now forwarded to this Country for the purpose of being audited by us.

Sir David Baird has in reply acquainted us that he received no instructions with regard to the Accounts, and that he therefore acted according to the best of his judgment for the good of His Majesty's Service, nor was he directed to transmit them to England; that he appointed Cap. Wm. Munro Auditor, who had formerly acted in that capacity during General Dundas's command, and directed him generally to be guided by the rules laid down for him during that period, and that he is not aware of any difficulty or objection to his Accounts being now forwarded for Audit here.

Earl Caledon has stated to us that by the Ninth Article of the Instructions under the Royal Sign Manual he was empowered to issue public Monies for all public Services and was directed to keep regular accounts of all Receipts and Payments, and that by the same article he was commanded to transmit half-yearly to England Copies of all such Receipts and Payments: His Lordship has further stated that the Colonial Accounts were examined and certified by the Colonial Auditor, a Copy of whose Instructions he has transmitted to us, and that he does not conceive there is any objection or difficulty to the Accounts during the period that he administered the Government, being now forwarded to this Country for Audit.

The replies which we have received from Sir John Cradock are to the same effect as those given by Earl Caledon, with the exception that he thinks the sole difficulty which would arise from the Colonial Accounts being now forwarded to this Country, is their being made up with one set of Vouchers only.

In addition to the information which we obtained from the late Governors, we thought it necessary to call before us Major W. Munro, the Officer mentioned by Sir David Baird, and who had acted as Auditor General at the Cape of Good Hope for many Years. We questioned him upon the mode of auditing the Accounts of the Revenue and Expenditure, and the different Checks established for their due examination and control, and from the result of our conference with him, we are inclined to believe that considerable attention was paid upon this subject. He also informed us that all the Accounts with their Vouchers are made

up in one set only, and are lodged in the Secretary's Office at the Cape of Good Hope.

This we imagine has proceeded from the terms of the 9th Article of the Royal Instructions which states that attested Copies of the Accounts are to be sent to England, but no mention is made of vouchers; the Governors appear to have acted upon the supposition that by this direction the transmission of vouchers was not required, and they do not appear to have received any further instructions.

They have all forwarded to the Secretary of State from time to time the Accounts of the Receiver General of the Colony, with the exception of some deficiencies stated in the Margin.

1st to 28 Apl. 1807.
1st Jany. to 31st
Augst. 1811. The
Accounts of a sub-
sequent date to 31st
August 1812 have
not been received at
this Office.

Upon an inspection of these Accounts they appear to contain the whole receipt of the Colony and also the gross Disbursements, but these latter are not sufficiently detailed to admit of our ascertaining the amount paid to the different Civil Officers of the Government, and are in some instances merely advances to the Civil Paymaster General for the payment of the Civil Establishment, and the subsistence of the Cape Regiment.

An examination therefore by us of the Accounts which have been transmitted to this Country would not be productive of any utility, from the nature of the Accounts themselves, and from the deficiencies in them, which we have above reported. It will be consequently necessary if your Lordship should decide that the Colonial Accounts of the Cape of Good Hope are to be examined in this Office from the period of the Capture of the Colony, that directions should be immediately given for the transmission to this Country of a regular series not only of the Accounts of the Receiver General, but of those of the Civil Paymaster General, together with the Vouchers in support of both.

Having however given the whole subject the most attentive consideration, we are fearful that our entering at this period into an examination of the arrears of the Cape Accounts, previous to the Administration of the present Governor, will be attended with more delay and expence than can be compensated by any advantage that will probably result from such an examination.

The Accounts, as we have already stated to your Lordships, are

made up with single Vouchers only, it will not therefore be prudent to direct them to be sent from the Colony, without authenticated Copies thereof being kept in the settlement: the preparation of these papers involving a period of nearly two years, will occasion considerable delay and must be productive of great expence.

We have reason to believe that the Accounts with all their Vouchers down to the close of the Administration of Sir John Cradock, have been already subjected to the examination of the Local Auditor, acting under detailed Instructions from the Governor.

We therefore are of opinion on considering that one of the Governors was not furnished with any directions relative to the Colonial Accounts, and that the others acted under Instructions which in a great degree left to their own discretion the management and Control of those Accounts, that any further examination by us of the arrears would occupy a considerable portion of that time which we conceive might be more advantageously employed in watching over and checking the current Receipt and Expenditure.

Under this conviction, we recommend to your Lordships, that our examination of the Accounts of the Cape of Good Hope should commence with the Government of Lord Charles Somerset the present Governor, who took charge of the Colony on the 7th of April 1814, and we suggest the expediency of directions being immediately conveyed to him through the Secretary of State, to transmit to this Office the Colonial Accounts with all the Vouchers for the expenditure from the day of his assuming the Government until the close of the present year, made up according to the Regulations now established in the Colony; and that from the 1st January 1816 he should be directed to conform in the strictest manner to the instructions to be transmitted by your Lordships for his guidance, a draft of which we take leave to submit for the consideration of Your Lordships.

Connected with the Finances of the Cape of Good Hope, are the Accounts of the Districts, into which the Colony is divided.

These accounts contain as we have been informed the Receipt and Expenditure of certain Assessments or Taxes levied upon the Inhabitants by the Landdrost or Magistrate, who appropriates them to the incidental expenses of his District. It appears however from the conference which we have had with Sir John Cradock that no examination or audit of these Accounts took place by the

Auditor or any officer appointed for that purpose by the Governor, until the latter part of his administration, when he directed them to be submitted to the Inspection of a Committee whose Report had not been received at the period of Sir John Cradock's quitting the settlement. They appear to have been subjected to the examination of the Landdrosts only, who finally passed them without any reference to the local Government.

That these Accounts should be examined under the immediate direction of the Governor, appears to us to be highly expedient, for unless this control over them is established, the power of raising money from the Inhabitants and the appropriation of it are left to Individuals who become the sole judges of the propriety of the expenditure, and of the correctness with which it is accounted for, without the Government of the Colony having an opportunity of deciding upon either.

We therefore take leave to suggest to your Lordships the expediency of instructions being sent to the Governor of the Cape of Good Hope, directing him to cause the accounts of the several Districts to be examined by the Auditor under regulations to be established by the local Government, and further directing the Governor to report the nature of the different Taxes or Assessments now raised by the Landdrosts.

The principles of the regulations for the guidance of the Colonial Auditor we submit should be, that no Assessment or tax should be levied by the Landdrost until it had been previously submitted to and had been approved of by the Governor, that no appropriation thereof should be admitted without a similar reference and approval, and that the detailed Accounts with all the Vouchers should be transmitted to the Colonial Government for the purpose of being examined and audited by the local Auditor.

These Regulations we suggest should be transmitted to the Secretary of State in order to their being submitted to His Royal Highness The Prince Regent, and the Accounts of the Districts after having been passed by the Auditor, we recommend should be forwarded to this Office, for final examination and Audit.

We have &c.

(Signed) CLEM. M. EDWARDS,
E. H. LUSHINGTON,
EDMUND BYNG.

[Original.]

Letter from the REVEREND DR. WERNINCK *to*
HENRY GOULBURN, ESQRE.

5 CAMBERWELL GROVE, 13 June 1816.

SIR,—I beg leave to inform you that two respectable Gentlemen, The Revd. Messrs. Mol and Spyker, who have just taken holy orders at the University of Utrecht in Holland, have expressed an inclination to proceed to the Cape of Good Hope and enter upon any vacant living in that Colony, the former being a native of that Settlement. They can produce the best and most satisfactory testimonials respecting their abilities and moral conduct, of which I have been assured by the Revd. Dr. I. Heringa, one of the Professors in Divinity at Utrecht. In consequence of which I take the liberty of requesting that you will have the goodness to propose them to the Earl of Bathurst for their appointment in the same way as the Revd. Mr. Berrangé last year, as I understand that there are still three or four vacancies in the interior of the Cape, the inhabitants of which are very anxious to have properly Qualified Dutch Clergymen. I have &c.

(Signed) I. WERNINCK, D.D.,
Minister of the Dutch Church of London.

[Original.]

Letter from the REVEREND DR. WERNINCK *to*
HENRY GOULBURN, ESQRE.

5 CAMBERWELL GROVE, 15 June 1816.

SIR,—In answer to your favor of yesterday, I beg leave to reply, that according to the last letters I received from the Revd. C. Fleck and the Revd. J. C. Berrangé, Ministers at Cape Town and Zwollendam, the following Livings in the interior of the Cape of Good Hope were still vacant, viz. Roodezand, Graaff-Reynet, and Uitenhagen, and that the Revd. Mr. Serrurier, Senior Minister at Cape Town, on account of old age has been found incapable of doing duty, and obtained leave to retire *salvo honore et stipendio*.

In consequence of which and being assured by your letter that Earl Bathurst will recommend the appointment of the Revd. Cornelis Mol and the Revd. J. Spyker to any livings which may on their arrival prove vacant, I shall write to these gentlemen, that they may make themselves ready to proceed to the Cape, not doubting but the same arrangements will take place with them as with Mr. Berrangé respecting their Salary and voyage to the Cape.

I have &c.

(Signed) I. WERNINCK.

[Original.]

Letter from REAR ADMIRAL MALCOLM to J. W. CROKER, ESQRE.

Newcastle AT ST. HELENA, 17th June 1816.

SIR,—I have the honor to report to you, for the information of the Lords Commissioners of the Admiralty, my arrival in the *Newcastle* at St. Helena this day, in company with the *Orontes*, and that I shall assume the command assigned to me the moment Rear Admiral Sir George Cockburn resigns it. I have &c.

(Signed) PULT. MALCOLM.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 19th June 1816.

MY LORD,—An application having been made to me in favour of the Revd. Cornelius Mol and the Revd. J. Spyker, two Clergymen of the Dutch Church who are desirous of entering upon their pastoral functions at the Cape of Good Hope, and it having been represented that several Livings are now vacant in the Interior of the new Colony, I beg to acquaint Your Lordship that I have recommended these Gentlemen to repair to the Cape, and have informed them that upon their Arrival they will be nominated to such Livings as may happen to be vacant. I therefore beg leave

to introduce these Gentlemen to Your Lordship's protection, and I have to request that Your Lordship will be pleased to provide for them whenever you may have an Opportunity to do so.

I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 19th June 1816.

MY LORD,—I beg leave to transmit to your Lordship herewith the Receiver General's Accounts for the months of January, February, and March 1816, and have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 24th June 1816.

MY LORD,—In consequence of the importance which is stated in Your Dispatch No. 52 of the 12th of March last to be attached to the entire possession by the Colonial Government of the Buildings hitherto occupied by the Naval Department at Cape Town, I was induced to recommend to the Lords Commissioners of the Admiralty that the same should be placed unconditionally at your Disposal, and I now beg to apprise Your Lordship that the Lords Commissioners have so far agreed to this Arrangement that unless any pressing public Emergency should occur to render the Restitution of these Premises necessary, no future Application to that effect will be made by their Lordships. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 25th June 1816.

MY LORD,—I had the honor on the 21st May last to address your Lordship on the high and increasing rate of exchange which Bills upon England bear against the paper currency of this place and to call your Lordship's attention to the direct and collateral circumstances which have appeared to me to occasion that high rate, with the view of obtaining your Lordship's sanction and support of a measure I had adopted for the prevention of a system of jobbing which has proved extremely ruinous to all those whose incomes are receivable in the currency in question, and which now presses so hard upon the Colonial finance as to make me extremely apprehensive that the receipts of this Treasury may turn out to be inadequate to a very limited and economical expenditure.

Since the period of the letter I have alluded to, the Assistant Commissary General has had occasion to negotiate bills to the amount of about £12,000 only, and pursuant to the orders I had given he gave notice that the bills would only be made payable to some person or firm in England. The tenders he received have amounted to £35,539, from which the whole of the sum required was obtained at different rates of exchange from 101 per cent premium to 95, with the exception of about £502. The next competition for £245 of the 502 was the Jew broker against whom the measure was directed, and he refusing to comply with the terms upon which the tenders were called for, viz. those of naming a person or firm in England to whom the bills should be made payable, I have directed the Assistant Commissary to pass over to the next tenderer, so that the sum of £245 will be obtained at a fraction more than $9\frac{1}{4}$ per cent premium. The difference of receipt in this instance is therefore so trifling as not to be worth noticing, but as it may be made the subject of representation, and as the measure itself, not fully considered in all its bearing upon the property of the Colonists and the expenditure of the public funds might in a clerical point of view appear of questionable policy, I earnestly call upon your Lordship to give it a more than ordinary consideration.

The effect of the small bill for £245 falling into the hands of the broker alluded to would have been this, that he would have negotiated it here at a considerable advance upon the highest premium obtained at the last bidding; (viz. 101 per cent), his procuring such an advance would then fix the price of bills at that rise between this period and that of the next bidding for Government bills, and thus cause an increased depreciation of a very depreciated circulating medium. This would have been the more to be lamented from the prospect there is of the bills for specie again falling into this person's hands, in consequence of the measures I had taken to secure an adequate sum in the Paymaster General's possession to render his chest independent of the manœuvres of Jobbers, not having met with the sanction of the Commissariat at home, who have directed that no Spanish dollars shall be purchased so long as any number remains in the Paymaster General's possession, which will render it incumbent upon the Assistant Commissary to purchase at any price when the funds alluded to shall be exhausted, and it is known that such is now nearly the case, I am informed that this broker has prepared to exact the highest rate, for the absolute necessity we shall be under of drawing largely in exchange for Spanish dollars to defray the subsistence of the Troops, and it may be apprehended therefrom that these dollars which I had lowered from 7/ to 4/4½ (the tenders of yesterday) will obtain their former excessive price.

Your Lordship will feel the imperative duty by which I am called, at a heavy responsibility perhaps, to use my best exertions for the protection of the property of the Colonists entrusted to my charge. You will see the anxiety under which I labour to prevent a necessity of calling upon the British Treasury for aid towards our ordinary expenditure, and thus should even the measure fail of ultimate approval, I trust I shall be exonerated from any censure of the steps I have provisionally taken.

The subject of the paper currency of this Colony is worthy of your Lordship's serious attention, as your Lordship must be well aware that the Colonists must suffer extremely from the immense depreciation of the only representative of their property, the value of which they understand to have been guaranteed to them at the capitulation, and I am induced to press it particularly upon your Lordship at the present moment, as I have reason to conjecture that the apprehension of the Jew broker whom I have before

alluded to entertains that his jobbing will be checked by the measure I have adopted, will induce him to attempt to mislead the Commissariat Department at home, by a plausible though unfair representation of the facts. I have, &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 26th June 1816.

MY LORD,—Messrs. Mund and Maire, the Gentlemen alluded to in my Dispatch of the 24th of March last, as having received the Permission of His Majesty's Government to visit the Cape of Good Hope and the Island of St. Helena upon botanical Pursuits, will have the honour of delivering this Letter to your Lordship, and I beg to recommend these Gentlemen to your Protection and Attention and to request that you will afford them every facility in your power to promote the object of their Scientifick Researches.

Upon the Arrival of Messrs. Mund and Maire at the Cape, and while they are engaged in their Pursuits in that Colony, I have to request Your Lordship will be pleased to apprise Sir Hudson Lowe of their Wish to visit St. Helena, and that you will endeavour to secure for them proper Means of Conveyance to that Island. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 29th June 1816.

MY DEAR LORD,—I beg to transmit to your Lordship the accompanying Papers relating to certain Transactions which are stated to have taken place in the Colony under Your Government involving the Interests of the Black Population at the Cape, and I request your Lordship will privately take Measures for

investigating the Truth of the Circumstances which have been stated to me. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, June 29th 1816.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's Letter of the 26th March last, stating that on the Resignation of Major General Baird, You had appointed Colonel Graham to be Commandant at Simon's Town; and I beg to convey to you my Approbation of this Appointment.

With regard to the other point adverted to in your Lordship's Letter, You must be aware that it will depend on the Decision of H.R.H. the Commander in Chief to fill up the vacancy which has occurred on the Staff of the Cape. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, June 29th 1816.

MY LORD,—From the reports of the debates in Parliament relative to the distribution of the Army in the Colonies on the Peace Establishment I gather that the Force destined for this Settlement is not to exceed 3000 men.

In a dispatch which I had the honor to address to your Lordship on the 19th of June 1815 I took the liberty of pointing out the eligibility of this Settlement as a military station from its vicinity to India. An advantage also of three half pence per day on each soldier stationed here accrues to Government in the issue of the daily rations.

In troubling your Lordship at the present moment, it is not my purpose however to advert to any of those causes to induce your Lordship to recommend that out of the Forces destined

for the Colonies no smaller number than that at present employed here should be allotted to the defence of this Settlement.

I feel it my duty to place before your Lordship the present distribution of the Troops on this Station, and it will not I am persuaded require a Military eye to perceive that the present force cannot safely be diminished.

The statement I have the honor to enclose will point out to your Lordship that without a single extra service the present duties and reliefs occupy a force of 4032 rank and file. It may not be unworthy of your Lordship's notice in considering the eligibility of this Settlement as a military station as far as regards the health of the Soldier, that out of an aggregate of 4331 Men (which number includes non-commissioned officers, drummers, &c.) the deaths between the 25th of December last and the 24th of March were only five. I have, &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 4th July 1816.

MY LORD,—I have to acquaint you that it is not the intention of His Majesty's Government to appoint any Person to succeed to the Office of Vendue Master at the Cape which became vacant upon the Resignation of Mr. Fagel in the year 1814. Your Lordship will therefore upon the Receipt of this Dispatch take such Measures as you may judge most advisable for the future Regulation of Vendue Sales in order that the Profits on such Sales which have heretofore been assigned to the Vendue Master may be carried to the Colonial Treasury, and Your Lordship will decide whether such an object can be best effected by the imposition of a per Centage or by Licenses granted to the Individuals desirous of engaging in that Business. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 4th July 1816.

MY LORD,—I have to acquaint Your Lordship, with reference to the Instructions conveyed to you in my Dispatch No. 46 of the 9th of February, that it no longer appears necessary to enforce that part of the Instruction which directed you to detain at the Cape of Good Hope, until Instructions could be received from hence, such of the Followers of General Bonaparte as might apply to you for the necessary Means of returning to Europe. You will therefore consider yourself authorized to afford to such persons the necessary Conveyance to Europe and Subsistence during the Voyage, taking care however that they proceed in no other than a British Ship direct to some Port in Great Britain, and giving them distinctly to understand that Permission to reside or even to land in Great Britain must depend upon Circumstances, to be determined at the Date of their Arrival. In the event of their Refusal to accept the Passage provided for them, under these Conditions, you will consider yourself authorized to withdraw from them the Allowances which under the Circumstances of a Reference to this Country, you are in my former Dispatch instructed to make to them. I have &c.

(Signed) BATHURST.

P.S. You will at all Times consider yourself authorized to send the Persons in question from the Settlement under your Government should their Conduct be such as to induce you to deem their further Residence at the Cape inconvenient or dangerous.

[Copy.]*Proclamation by LORD CHARLES SOMERSET.*

Concerning the creation of new to replace worn out paper money.

26th July 1816.

[Copy.]

Letter from REAR ADMIRAL MALCOLM to LORD
CHARLES SOMERSET.

ST. HELENA, 31st July 1816.

MY LORD,—Having received orders to detach a force immediately to take possession of the small Island called Tristan d'Acunha under the circumstances therein pointed out, and consulted with Sir Hudson Lowe on the expediency of furnishing a Garrison from hence for it, as well as concurred with him in opinion that it should be provided from the Cape of Good Hope, for reasons which he had stated to Government and to your Lordship, I have the honour to acquaint your Lordship that I have, in the mean time, in order that no delay may arise in carrying the above instructions into execution, directed Captain Festing of His Majesty's Ship *Falmouth* to proceed forthwith to that Island and take possession of it, with orders to leave an Officer and a party of men belonging to that ship to Garrison it, until a detachment of Troops can be sent from the Cape of Good Hope to relieve them, whither I have instructed him to proceed for the purpose of delivering this letter, and also one from Sir Hudson Lowe, to your Lordship, and of affording you every information in his power respecting that Island, and the probable force that will be required to maintain possession of it; as well as of embarking the Garrison, and everything your Lordship may deem necessary to accompany it, on board that ship, for conveyance to Tristan d'Acunha, the moment your Lordship may give the necessary orders thereon, which I request you will be pleased to do as soon as it may be convenient, as I am much in want of the services of the *Falmouth*.

I enclose, for your Lordship's further information, a copy of the orders which I have given Captain Festing to deliver to the officer he will leave in charge of the party at Tristan d'Acunha until the arrival of the Garrison, which are similar to those given to the Naval Officer commanding on the Island of Ascension, and which have been approved of by Government.

It is my intention to leave this Island for the Cape of Good Hope about the beginning of September. I have &c.

(Signed) PULTY. MALCOLM, Commander in Chief

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 1st August 1816.

MY LORD,—I have the honor to acknowledge the receipt per *Podargus* of your Lordship's Dispatch No. 52 (29th March 1816) communicating to me the commands of His Royal Highness The Prince Regent to give the earliest and most serious attention to the adoption of every measure which may tend to lessen the Public Expenditure or improve the Public Revenue in the Colony entrusted to my Administration.

I beg to assure Your Lordship, that my most strenuous exertions shall be forthwith directed to these necessary points, and I shall not fail to transmit to your Lordship at a very early period a full report upon the important subjects of Your Lordship's communication in the manner therein pointed out. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET *to* HENRY
GOULBURN, ESQRE.

CAPE OF GOOD HOPE, August 3rd 1816.

MY DEAR MR. GOULBURN,—I am induced to trouble you in consequence of our last arrival from England having amongst other Newspapers brought the *Times* of the 24th of April, in which there is a most contemptible squib against the civil officers of this Government. It would be much too contemptible to notice, did not the Senators of the present day demean themselves by taking their arguments in the House from the lowest of the Newspaper Revilings.

The paragraph alluded to attempts to be extremely witty on the office of Wine Taster and Deputy Wine Taster, and Organist and Deputy Organist. In case this wit should be attempted in the House of Commons I just beg leave to say that the Wine Taster's

office is one of the greatest importance to the interests of the Settlement, as he ought to prevent any bad wine being exported, the Deputy (as the *Times* calls him) is the Gauger of casks, and is the Arbitrator between the Wine Grower and Merchant, and is of equal importance with his superior. The salaries of the two amount to 4,500 Rixdollars.

The fees of the office created by these appointments (which are all carried to the public account) amounted last year (and will be much more) to 5,600 Rixdollars, so that the Revenue would lose 1,100 Rixdollars per annum were these offices (according to the wish of the patriotic *Times*) abolished. There are two Dutch churches here with organs and two organists: one has £10 per annum and the other £5 per annum.

You will I hope forgive my troubling you on this subject, but sometimes the exposing the *nothingness* of these petty imaginary grievances has a greater effect than more important statements.

Believe me &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 6th August 1816.

MY LORD,—In consequence of the Representations made by the Revd. Dr. Jones, during the time that He was on Leave of Absence from the Cape of Good Hope, of the inadequacy of the Salary of the Colonial Chaplain, He was informed that his Salary would be encreased to the Sum of £700 per Annum, and that a Portion of Glebe Land would be assigned for the Use of the resident Clergyman. As by some Inadvertency no Instructions to this effect were transmitted to Your Lordship when this Arrangement was made, I now have the honour of addressing you on the Subject, and of requesting that Dr. Jones may be allowed to draw his Salary at the encreased Rate from the Date of his Embarkation to return to the Colony, and that Your Lordship will make an Allotment of such a portion of Land as Glebe as you may consider the

resident Clergyman to be equal to the Management of, consistently with his Clerical Duties. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 15th August 1816.

MY LORD,—In compliance with your Lordship's directions as expressed in your dispatch No. 24 dated 14th December 1814, I took steps to ascertain what the lands were to which the Baron van Hogendorp laid claim, and having found that a spot at Houts Bay had been reserved by the Batavian Government for the Baron, which spot my predecessors in this Government had declined alienating in consequence of the knowledge they had of the Baron's pretensions, I directed the Government surveyor to proceed with the Baron's agent to fix the necessary landmarks and make the regular survey of the lands; the grants in consequence would have long since been made out and this affair have been terminated, had not certain pressing business in the interior of a public nature necessitated the absence of Mr. Beelaerts van Blokland (The Baron's Agent) in the remotest district of the Settlement.

Upon his return it appears he received a communication from Mr. Van Hogendorp, stating that it was not only the lands at Houts Bay to which he laid claim, but that his pretensions extended to lands at Plettenberg's Bay, and also to several tracts situated in the Auteniqua land (now George's Drostdy).

The enclosed copy of Mr. Beelaerts' representations on this head (No. 1) will put your Lordship in possession of the extent of these pretensions, but I beg to add that the Batavian Government here, who antecedently had had the examination of the speculations of Mr. Van Hogendorp by no means entered into his views, and after much delay and deliberation, it had been decided as your Lordship will observe from the perusal of the accompanying translations of extracts from the public records of the Batavian Council (No. 2) to grant to the Baron the lands at Houts Bay

before alluded to, in lieu of what he had before applied for. Thus circumstanced the lands at Plettenberg's bay and in the Auteniqua land were considered to be waste lands without encumbrance, and as such have been, in great part, alienated, and it would cause much confusion and great injustice in many instances to interfere with what has been arranged in the Auteniqua Land during the last ten years. It is in this place, and adjoining some of the lands applied for by the Baron, that Lord Caledon fixed the seat of a new Magistracy, and a small town is rapidly rising there into importance, it being conveniently situated between Mossel and Plettenberg's bays.

The grants solicited by the Baron at Plettenberg's bay are by no means valuable, were it not for the timber with which that coast abounds; indeed this Colony has little timber of its own except what is brought from thence, and it is the only part where ship timber is procurable, and though this latter is not in great quantity, yet its size and quality render it very valuable, and I could not, consistent with the duty I owe to the public, recommend to your Lordship to alienate any part of these public forests.

The ground which had been selected for the Baron Van Hogendorp at Houts Bay, though not very extensive, is extremely rich and well watered, and is certainly the most valuable spot of this (the Cape) district.

I shall hope to receive your Lordship's early commands on this head, and have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

Extract from the Records held by the Governor and Council at the Cape of Good Hope on Wednesday, the 15th of August 1804.

The Governor and Commander in Chief exhibiting to the Council a Memorial presented to Him by Fredrik von Bouchenroder stated that pursuant to the prayer thereof He had required the Agents of said Mr. G. K. van Hogendorp (being Mr. G. Beelaerts van Blokland and H. A. Vermaak) in order to communicate to them and to said Fredrik von Bouchenroder, in presence of the Council the result of the Inspection, which, by virtue of a resolution of this Court of the 18th of January last,

had been taken by the Landdrost of Zwellendam, Mr. A. A. Faure, and the Sworn Land Surveyor Mr. Werninck, of Lands disposable at the Outeniqualand, Plettenberg's Bay, and Vlees Bay; and further in order, after having heard their interests on the subject, to decide in such manner upon the Memorial presented to the Council on the said 18th of January for the grant of Land as may be judged most reasonable.

The said Mr. Van Hogendorp's Agents together with the above-mentioned F. von Bouchenroder having hereupon appeared before the Council, and a statement, descriptive of the lands, which were still grantable and at the disposal of Government, at the Outeniqualand, Mossel Bay, Plettenberg's Bay, and Vlees Bay, having been laid open to them by the Governor and Commander in Chief, it clearly appeared therefrom, that not only but small spots of land, very inadequate to the views of Mr. Van Hogendorp, could be found in those Districts, yet that moreover the difficulty and danger of protecting the adjacent Bays in that quarter would lead to enormous expences, and be of no benefit to the projected Colonization. And as the Agents of Mr. Van Hogendorp, as well as said F. von Bouchenroder made no hesitation in admitting thereof the Council proposed to them, that whereas a compliance with their petition of the 18th January relative to the cession of Lands in the Districts abovementioned would by no means answer the intention of their principal, but on the contrary bring them under the necessity of purchasing more Land and consequently be less adviseable for the interests of Mr. Van Hogendorp, to occupy in the meantime such Lands which, without great expense of Carriage and without the least danger, they could immediately commence to cultivate, and where also the People sent out here might, without any longer delay, be employed. Offering for this purpose to cede to them such portion of Land, of a very fertile nature, at the Hout Bay, as they can prove to be able to encompass with their present means; leaving it nevertheless to the Petitioners, should they know of any preferable tract of Ground annexed thereto, to point it out, and assuring them that the Governor and Council will be always willing, in addition to what has been primitively promised to the Petitioners, to grant to Mr. Van Hogendorp, subject to the necessary conditions, any Lands which are not yet disposed of, or used for any Government or other lawful purposes, in as far as his Agents and said F. von

Bouchenroder shall be able to make such use thereof, as intended by their principal.

This offer however not having been positively accepted by the Petitioners on account of their supposing the main object of their Principal to be to colonize at a distance from the Capital, it was hereupon agreed, to convert the same into a Resolution of the Council, and to grant to the Petitioners an Extract thereof, in order to serve as a Reply to their Memorial of the 18th of January last, with further desire to the parties to send in their determination in Scriptis to the Governor and Council, Ordering and directing the Inspector of Lands and Woods and the Inspector of Public Buildings in the meantime to ascertain as soon as possible the Lands at the Hout Bay, which by resolution of the 2nd of May last has been required of them, in order that the necessary tract of Ground, should the Petitioners wish it, may be forthwith pointed out to them.

[Enclosure 2 in the above.]

Extract from the Records held by the Governor and Council at the Cape of Good Hope on Wednesday the 14 of November 1804.

At the ordinary meeting of the 14th of September, a Memorial was presented by Mr. G. Beelaarts van Blokland, and H. A. Vermaak (in their capacity as agents to Mr. G. K. van Hogendorp) and Fredrik von Bouchenroder, of the following tenor:

F. I.

The Governor and Commander in Chief having on the aforesaid day, taken over this Memorial, in order to give his opinion in writing upon the subject thereof as well as upon the prayer of the Petitioners, and to offer it to the consideration of the Council, handed over the following document on the 19th September.

F. I.

Which paper having on the said 19th of September, been put by for discussion, was this day together with the Memorial of the Petitioners, again laid before the Council and submitted to its consideration, when, after mature deliberation of all the circumstances, in any ways relating to the Petitioner's prayer, it was taken into consideration, as had already been declared in the Resolution of the 18th of January last, that the Governor and

Council, not merely from a sense of their duty to comply with the desire manifested by the Supreme Government of the Batavian Republic, but also from a sincere wish of promoting the interests of the Colony, were inclined, in every respect to support the endeavours of the Petitioners in that regard, for as far as they did prove to have no injurious tendency to the properties or other privileges of the actual Colonists of this Settlement; that from this principle therefore no difficulty was made in promising by the said Resolution of the 18 January, to the Petitioners, in their aforesaid capacity, such portions of Government land at the Outeniqua Land, Plettenberg's Bay, and Vlees Bay, as might be of any use to their purpose; that at that time however a resolution was also taken, in order to prevent all disputes and confusion, not to grant any particular tract of ground in those Districts to the Petitioners, until after a minute investigation it shall have been ascertained what Lands are found there to be at the disposal of Government; that from this investigation, the result of which was communicated to the Petitioners by the Council on the 15th August last, it had appeared, that only some small spots of land, very inadequate to the views of the Petitioners' Principal, were found to be disposable at the Outeniqua Land, Plettenberg's Bay, Mossel Bay, and Vlees Bay, and that moreover the difficulty and danger of navigating in those Bays would lead to enormous costs and prove of very little advantage to the Colonization, that it was therefore thought more advisable to offer to the Petitioners to occupy provisionally some land at the Hout Bay, one of the most fertile parts of this Settlement, with no other view than merely to have enabled the Petitioners, who agreeably to the investigation above alluded to, would have been brought to the necessity of purchasing more lands, to learn their Principal's further instructions upon the case, and to have afforded them in the meantime an opportunity of making a proper use of the means already arrived and still to be sent out for the Colonization.

That the Petitioners however considered this offer in a very different and wrong point of view, and accepted it under so many intricate conditions and provisions, that the Governor and Council were entirely at a loss in tracing out the grounds upon which the Petitioners, after having been convinced of the infeasibility of the concession, pretended to make such positive claims, that it is evident so from this as from the further course of the case, that

Mr. Van Hogendorp's plan of colonizing consists in creating a Colony within the Settlement known by the name of the Cape of Good Hope, which plan is not only contrary to the rules of sound policy, and impracticable to execute on account of the local situation of this country, but moreover proves very detrimental to the interests of the mother country.

And whereas all these reasons make it essentially necessary that this matter be not considered precipitately, but be acted upon with that prudence which the supreme authority of the Batavian Republic justly expects should be the guiding star of the Government of a Colony so remote from the mother Country: So is it that the Governor and Council, previously to deciding upon the Petitioners' Memorial, have resolved to refer the circumstances relative to Mr. Van Hogendorp's plan of colonizing, to the supreme government of the Republic, in order that it may finally be determined there, whether and in how far, agreeably to their intention, the Colonial Government could and ought to comply with the views of the Petitioners. Permitting in the meantime, until such higher disposition be known, to the agents of said Mr. Van Hogendorp to occupy on behalf of their principal, such lands at the Hout Bay, which being pointed out by the Inspector of Lands and Woods, they may require for the use and accommodation of the means already received by them, and further on the arrival of additional ones, not only to occupy in proportion, (with the approbation and consent of Government) more lands at the Hout Bay; but also to apply for any of the unoccupied Government Farms, to graze Mr. Van Hogendorp's cattle thereon; and moreover to cut timber in the Government forests, provided, according to local custom, the necessary licence for that purpose be procured from the Colonial Secretary's Office.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 15th August 1816.

MY LORD,—I beg to refer the enclosed case for your Lordship's instructions, as it involves the interests of many individuals settled in this Colony.

The statement is this, a native of St. Domingo obtained a temporary permission to remain in this Settlement in the year 1797. He has resided here ever since and lately agreed for the purchase of a house (freehold property) in this town. All deeds of transfer are prepared here in the Colonial Secretary's office, and the act itself is signed and passed in presence of the Secretary and a deputation of two members of the Court of Justice on periodical Court days, which are fixed for the express purpose. By the late final cession of the Colony to His Majesty, greater precision respecting aliens was rendered necessary than what had been antecedently enforced, and it became a question whether they could be allowed to hold lands in this Colony.

I do not find any authority to warrant my sanctioning such purchases, and the solemn manner in which transactions of this nature are passed, by which the Government of the Colony becomes (as it were) a party in the case, renders great precaution essential.

The Act of the 13th George 2nd Cap. 7 indeed grants the privileges of natural born subjects to such foreigners (taking and subscribing certain oaths) who shall have resided 7 years in any of the American Colonies, but this, your Lordship will see, does not reach the case before you.

Anxious to ascertain what the rule of the former Government of this Colony had been on the point in question, I referred the case to Mr. Truter, who having been bred an Advocate in Holland and having filled the situation of Colonial Secretary under the Batavian Government and successively those of Fiscal and Chief Justice under the British rule, was the best authority I could refer to here, and from the report enclosed your Lordship will see that the ancient general regulations of this place are consonant to the British law as I believe it to stand.

I shall be the more desirous to be favoured with your Lordship's consideration of this subject, as besides the circumstance of there being very many individuals situated as Mr. Villet is (whose character is in every respect unexceptionable), the final decision must also affect the claims of Mr. Van Hogendorp which were the subject of my last dispatch. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the destruction of worn out paper money.

16th August 1816.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, September 1st 1816.

MY DEAR LORD,—The voluminous despatch No. 62 upon the finance of this Colony which I promised to your Lordship by this Mail will convey to you ample details of the duties of all the civil officers of this Government, but the clamour for reduction amongst the factions at home appears (as far as we have learnt here) so great and in many instances so unreasonable, that I cannot refrain from troubling your Lordship confidentially respecting *one* individual whose appointment bearing the appellation of Deputy and holding also a combined situation, may render him an object of attack. That individual my dear Lord is our Deputy Colonial Secretary Lieutenant Colonel Bird, whose services and character are not unknown to your Lordship, and will therefore incline you to render him every kind office; but it is important to assure your Lordship with every public ground for shewing how deserving he is of what he holds as well as with the grounds upon which he was appointed to the Commission of Stamps.

The enclosed extract from a despatch of Lord Caledon's will put your Lordship in full possession of that circumstance, and now, my dear Lord, permit me to assure you that there is no servant under the Crown whose services are more effective or valuable than Lt. Col. Bird's. Being a perfect master of the Dutch language he is enabled to communicate and correspond with the Colonists, and a residence of upwards of 13 years at the Cape has given him a knowledge of the character and disposition of every inhabitant of any note. These are advantages no other man possesses, and these combined with his integrity, his ability, and his zeal, render his services invaluable to this Government. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 1st September 1816.

MY LORD,—In obedience to the contents of your Lordship's dispatch of the 29th of March (No. 52) I submit for your consideration whatever appears likely to diminish expenditure and improve the public Revenue of this Colony; but I have not the vanity to suppose that I have the power, by any detailed statement, to furnish your Lordship with all the information you may deem necessary, tho' I trust what I have the honour to submit will at least evince to you my anxiety to do so.

Your Lordship's letter embracing all that can relate to the finances of the Colony, whether proceeding from import trade or native product, and of expenditure, can be only answered in detail, and as I collect from your Lordship's confidential communications, as well as from the dispatch to which I am now about to reply, that the object of His Majesty's Government is not only to improve, if practicable, the Revenue of this Settlement, but to make every possible reduction in every branch of expenditure, and to throw upon the Colonial Government as much of the Commissariat charge for the Army extraordinaries as its surplus Revenues shall admit of, I shall lay before your Lordship the amount of the actual burthens now imposed.

1st. What are raised for the use of the General Colonial Government.

2nd. The local assessments for the expenses of the respective districts.

Such are the imposts now paid. With respect to improving the Colonial Revenue, I own I am not so sanguine in my expectations of being able to add to it by any increase of the present taxes, except as they grow with the growth of the Colony, which now can be merely considered as a cradled infant. What the people have been accustomed to pay, they do pay, but their chief contribution to Great Britain is the double monopoly she has of the supply of their consumption and the entire receipt of their products. And this tax, my Lord, a very great man declared to embrace all others. It has ever been found difficult, as your Lordship knows, to impose taxes upon commercial Colonies

at a distance from the mother country. I have proceeded here with as much caution as possible, and have gone as far as I think it wise and prudent to go. I trust therefore, My Lord, you will approve of my continuing to receive what is now cheerfully paid, rather than attempt further burthens which might lead to discontent. And here, my Lord, you will not think it foreign to the purpose that I should remark that a great part of the Revenue is raised under the authority of the several Governor's Proclamations, which altho' referred home at the time of issue for approval, have seldom been noticed in the dispatches received, though it appears to me to be highly essential that this mode of proceeding both in financial and other regulations should not only be confirmed from home, but receive a more decided sanction than I can find has yet been given to it.

Your Lordship will judge from our exports and imports and the course of our exchange, how far Great Britain would profit by money raised here rather than at home, and whether the commerce of England would not suffer by the attempt more than her Treasury could gain. She furnishes ships, the capital for much local improvement now carried on here in building &c., and she supplies almost the whole consumption of the inhabitants in British and Indian Merchandize and manufacture.

I shall, in bringing the subject to your Lordship's view, blend the military expenditure with the Colonial, confining this dispatch solely to financial concerns, but accompanying it with detailed statements (to which your Lordship can refer upon any point which may require elucidation) which, I shall hope, will embrace all the information that can be given relative to every subject connected with this Settlement and the administration of its finances. I shall state to your Lordship how far it appears to me to be practicable to reduce the expenditure of this Colony, and I shall then call your Lordship's attention to the situation in which the Colonists will be placed by the reduction proposed and the appropriation of the balance of the Revenue raised upon this people, not as heretofore to local wants and improvements, but to Military expenditure.

When the amount of Commissariat charges are to be brought against the Colonial revenue, it becomes a first question how far those expenses may be themselves reduced, bearing in mind that the same duties must be performed with equal efficiency. Under

this head, consequently, I shall have to submit to your Lordship several points for reduction, and I conceive I shall meet the spirit as well as the letter of His Royal Highness the Prince Regent's Commands, by the mode in which I shall have the honour to place the subject before your Lordship for His Royal Highness' decision.

I had very lately the honour of submitting to your Lordship that the duties of this command upon the most reduced scale required a force of not less than 4000 men. I shall therefore take that number as the ground work upon which my calculation of Military expenditure must rest, although I am sure that your Lordship is aware from your knowledge of the subject and from the reports of all my Predecessors on this head, that such a force, though adequate to the internal duty and security of the Settlement in time of peace, is far too weak for its protection and defence, should it be unfortunately again necessary to guard against external attack, especially when it is considered that more than one fourth of the number is actively employed in the protection of the Eastern Frontier, which force could not with security to the Colony be withdrawn or diminished, and while I am alluding to the necessity of continuing the protection of that border, I shall take the liberty to state the causes which render it necessary, I mean experience of the encroaching spirit of the Kaffres, and the circumstance of those being the districts on which this part of the Colony and the army are dependent for sheep and horned cattle. But although the number of 4000 men is stated to be necessary for the reduced duties of this very extensive Country, it does not therefore follow that the description of that force should remain what it now is. On the contrary, I should immediately propose the reduction of the Corps of Artillery drivers, by which a saving of £8,000 including Commissariat expenses Rixdols. 49,495 per annum would ensue, being confident that upon a sudden emergency in a very few hours I could collect able horses and drivers from this town, adequate to the purposes for which this Corps is principally considered useful, I mean the expeditious movement of Artillery.

I should next propose to your Lordship to remove from this command the present Dragoon Regiment, replacing it by another upon an Establishment of 500 men, so as not to keep more than 400 *mounted* men, and to increase the number of infantry of the

Garrison by the difference between that number and the present strength of the 21st Light Dragoons (viz. 1,100 men), by which the difference of pay between cavalry and infantry would be saved to Government and the commissariat expenses reduced by the amount of Forage now issued to the surplus number of horses, and the great expense now laid out in hiring out-quarters be entirely done away.

His Royal Highness the Commander in Chief will be perfectly aware of the lowest number of staff officers required for this command, and I therefore do not presume to offer to your Lordship any suggestions on that hand; but I feel it my duty to remark that in this Settlement (where officers are rarely disabled by ill health from the performance of their duties) the number of subaltern officers attached to the Regiments here is superfluous, and a considerable saving might be made by reducing the establishment to one Lieutenant and one Cornet or Ensign to each Troop or Company, and I beg also to say that I conceive that the Deputy Quarter Master General and his assistant might very advantageously undertake the whole duties of the Barrack department, with having under them a skilful clerk of the works, which should be the only appointment growing out of the Barrack department; and I must also suggest to your Lordship that the duties of the Commissariat may be performed by an establishment upon a very reduced Scale, instead of employing 24 persons, as at present, at an annual Expenditure of £5,945 4s. 1d.

Having thus commented upon the number and quality of the Force upon this Station, I beg next to call your Lordship's attention to the works of defence, which hitherto have occasioned considerable expence here; upon an average since the year 1806, the Fortifications have cost £4000 per annum; but as my view of them is to keep up merely the Sea defences at present, only taking care that the Lines which cover the Town on the land side shall not fall into utter decay, I shall not authorize more than an expence of about £600 per annum, (which is the estimate at which, it is presumed, the Mason work on the seaside may be preserved) unless very precise instructions from Home should direct me to pursue a contrary system under different views with respect to the defence of this Settlement, which it is not here the place to anticipate.

The accompanying calculation will therefore shew Your Lord-

ship the amount of saving which the measures herein recommended are calculated to effect ; but a very essential item remains to be noticed to your Lordship, in order that prompt steps may be taken to prevent the loss which is now borne by the public in the pay of the Forces.

I had formerly strongly urged the expediency of sending out Specie for the wants of this Army ; the Spanish dollar issued to the Troops at 4s. 8d. being as high in Exchange for Bills upon the Paymasters General as 6s. 6d. and even 7s., not arising, as I had just cause to believe, from any real scarcity of specie, but from the contrivances of a wealthy monopolizer and his associates (whom I alluded to in my Dispatch to your Lordship No. 55) in order to possess himself of the command of the money market here. After many efforts, a Sum of 100,000 dollars was sent hither, and the mere knowledge that this Sum was ready to be issued, when required, lowered, before a dollar was issued, the price to par (4s. 8d.) and subsequently even to 4s. 4d. Under such circumstances I thought it advantageous to the Public that the greater part of this Sum should not be issued, but that it should remain in the Military Chest so long as dollars were to be procured upon terms advantageous to the Public ; but the Commissariat Department in England did not approve of this step, and the Deputy Commissary General was directed not to draw any Bills as long as there remained any balance of Specie in his hands ; the 100,000 Dollars were therefore issued, and went but a short way in the payment of the Forces. The Monopolists purchased them with avidity, the chest was soon exhausted, and the consequence has been (what I foresaw) that the Government is again paying 5s. 6d. for dollars, and at the last bidding not half of the number wanted was obtained, because I felt it my duty to refuse tenders for them at 6s., the price demanded.

I shall now proceed to point out to Your Lordship what items of Colonial Income might be made applicable to the payment of part of the remaining Commissariat expenditure ; but I beg first to call your Lordship's attention to the amount hitherto expended in that branch. The total of the items paid in the last year amounted to 91,883 Spanish Dollars and 588,378 Rix Dollars, which calculating the Spanish dollar at 18 Skillings each (the present price) makes the sum of 795,115 Rix dollars. However, of this Sum of Commissariat expenditure viz. 795,115 Rds., the sum of 328,000 Rds.

is provided for in the estimates of the army, being the amount of deductions for rations made from the pay of the troops, so that the balance (subject to the deductions which I have already proposed), is, I presume, the amount which your Lordship thinks may be a charge against this revenue.

The greatest amount of Colonial Revenue (that of the year 1815) did not exceed Rixdollars 1,147,487-6-5, and the ordinary expense of the same year amounted to Rixdollars 890,050-5-1, the balance therefore is what must chiefly be depended upon for the aid of the Commissariat; but even among the items which have hitherto been classed under the term of extraordinary expenses, few heads could have been dispensed with, and since my arrival here there has been no surplus revenue beyond the sum of Rixdollars 124,733 6 2½ which has been remitted to the Agent of the Colony, partly to defray certain expenses necessary to be paid in England, but the greater part to refund to the British Treasury a proportion of the sums advanced to this Government under the administration of my predecessors; and here I beg to remind your Lordship that upon my assuming this Government I received a dispatch from your Lordship addressed to my predecessor (and in consequence of his representation) authorizing the Governor for the time being to draw upon the British Treasury in aid of the Colonial Revenue, in a sum not exceeding £5000 annually, of which permission I not only abstained from availing myself, but on the contrary have remitted as before stated a considerable surplus.

However under the head of extraordinary expenditure, the items of repairs of buildings and the expense of the new road to Simons Town will not again, I trust, recur, at least to anything like the extent which it has been found necessary to expend upon them in the course of the two last years. I have already notified to your Lordship the dilapidated and insecure state in which most of the public buildings were found upon my arrival here, and I have frequently had occasion to refer to the expensive work which I deemed it essential to the public interest to undertake, in opening a communication between this place and Simons Town, now become the Naval Arsenal of this Station. The expense has unquestionably been great, nor is the work nearly completed, but I do not hesitate to assert that it has been a measure of great public economy, and that as the Naval department can even now with

facility transport their provisions and stores by land from hence (the market and trading port of the Colony) to Simons Bay, the saving of a year in transport hire alone is sufficient to cover the whole of what has been expended; and therefore if I have economized for any particular branch of expenditure, it is as much a general benefit to the Country as if I had remitted the amount to the Treasury of England. But as I before observed this expense will not in future be a drain upon the extraordinary expenditure of the Colony. The principal objects being effected, it is my intention to confine the expense of the continuation as nearly as possible to the amount of the receipts of the Tolls, and I trust your Lordship will sanction my so expending what is levied from the public for this express purpose. I calculate therefore that under these two heads there may be reduction of expenditure to the amount of 100,000 Rixdollars per annum.

And now, my Lord, my next proposition to your Lordship is one which I have at former periods already suggested, it is to reduce the Hottentot Corps (except a few to be attached as guides to such of the King's Regiments as may be stationed on the frontier districts) replacing their numbers by a British Battalion. The drain which keeping up this corps causes to a very scanty agricultural population is severely felt, and the Regiment itself is kept upon a more expensive footing than a British Corps of equal strength, both as to its number of officers and as to followers, who are fed, every woman and child being entitled to rations, given as a species of compensation for the compulsory mode by which the Corps is raised. The last year's expense of this Regiment was more than Rixdollars 208,382 5 (exclusive of the clotbing), which this year will be still greater from the circumstance of their being paid in currency, allowing them the rate of Exchange, which has increased upwards of 20 per cent since last January; the amount hitherto paid on this account will therefore, in case your Lordship shall approve of its reduction, be saved for general purposes, while the Corps by which it may be replaced will unquestionably not be so expensive to the general Government and will be applicable to any foreign service in case of emergency.

I had the honour to propose to your Lordship on another occasion that the buildings formerly occupied by the Naval Commissioner (while this was the Naval Station) should now be restored to the Colonial Government, to which they originally

belonged, and I now again return to that proposition, as I cannot more effectually obey your Lordship's instructions than by suggesting the most minute items of retrenchment. The object I have in view hereby is to remove the Customs department to these premises advantageously situated close to the sea shore, and to appropriate the buildings, now the custom house, to Officers' Barracks and Commissariat stores, by which arrangement a large proportion of lodging money now paid to Regimental officers and for store hire, (amounting altogether to 18,000 Rixdollars annually), will be saved, and as the building in question is situated close to the main Barracks, it is admirably adapted for that purpose, while at present the officers are scattered over the Town and are not at hand should anything occur to render their sudden presence with the Corps in the Barracks necessary. Your Lordship will however bear in mind that the buildings of the Naval Department have been let to go to decay, and unless your Lordship will move the Navy Board to direct the premises to be given up in the same state of repair in which they were when they were made over to the Naval Department, they must be of heavy expense in their repair, and such expense requires your Lordship's approbation and sanction before it can be incurred.

I come now to the consideration of that part of your Lordship's dispatch in which you direct me to satisfy myself of the necessity of keeping on foot the several offices and the salaries, fees, and perquisites which may belong at present to each office, and that I should transmit to your Lordship a full report upon those matters, and point out every item, however minute, in which I conceive that a saving may be effected, consistently with what may be due to individuals and becoming the character of the British Government.

As the clearest mode of bringing this subject to your Lordship's notice, I enclose a general return of the civil servants of this Government in every branch, with a series of remarks, by which your Lordship will immediately perceive the nature of the duties each person is called upon to perform, and from which your Lordship will be competent to judge whether any and what reduction can take place. I am unable to point out any saving which can with propriety be made under this head, none of the civil servants being highly paid and many so extremely ill remunerated, that it is with difficulty men possessing the necessary qualifications are prevailed upon to undertake the public duties.

Your Lordship will see in the details relative to the expenditure annexed, that most of the civil servants have full employment, many of them have duties to perform which are peculiarly arduous, and I embrace, with pleasure, this opportunity to acknowledge and express my sense of the services of the Colonial Secretary, Mr. Alexander, and of the Deputy Colonial Secretary Lieut. Col. Bird, and of the zeal, ability, and efficiency with which their duties are performed. As the term of Deputy is given (improperly so in the general acceptation of the word), to the office held by Colonel Bird, I am anxious that it should not be misconceived by it being supposed that the one is idle when the other is employed, on the contrary, the official duties of both are ample and constant, and I beg to recommend them to your Lordship as most deserving public servants.

Whenever I have found it practicable to dispense with an office, the holder of which had vacated his situation, I have availed myself of it. Thus I did not find it necessary to replace the Civil Commissioner on the Frontier, vacated by Colonel Vicars, by which a saving of £500 per annum was effected. I have also reduced the expenditure of the Agricultural Board by suppressing the situation of Secretary and Treasurer, amounting to 3500 Rixdollars annually, and I have not filled the vacancy occasioned by Dr. Emerson's return to England in the Medical Board, by which a saving of 1200 Rixdollars was effected. His Royal Highness the Prince Regent, in recalling the Lieutenant Governor, has brought the amount of his salary from the 1st of January next to the public use, and I do not apprehend a Vice Admiralty Court will be continued here during peace; these two reductions will cause a saving of near 33,000 Rixdollars per annum.

The civil servants here are of two classes, the one who have been sent from England to fill the situations to which they have been appointed, the other Natives and Dutch inhabitants of the Settlement. It is observable that the former class are more highly paid, but it is to be remarked on the other hand that those of the native inhabitants who are in employ have the advantages and comforts of their family connections to lean upon and to aid them in their progress through life, which the first are deprived of by the immense distance which separates them from their native shores; but I am bound to state to your Lordship that the civil servants not appointed from home have in their incomes barely an

existence, and most of them claim and are entitled to have their claim to advanced pay attended to.

I believe I am correct in saying that the English servants of this Government are paid upon a scale very inferior to those of Ceylon and Mauritius, while the duties they are called upon to perform are in many instances arduous, and in all requiring ability and integrity. The salaries are precisely upon the footing fixed by Lord Macartney in 1797, no augmentation having been made either to the sums then fixed or to the numbers employed on that list. It must also be considered that the expense of living here is far greater than it is in England. Meat indeed is cheap, but every other necessary of life is high priced, and clothing or any commodity imported from Europe is infinitely dearer than in the Mother Country. Add to this that the civil servants have no retirement as in Ceylon, to look forward to, where after a stated number of years' service they may at their option return to England with the enjoyment of half their salaries, and it will not be considered that any class of the civil servants is over paid.

It is also important, as well as just, to them that I should remark to your Lordship that the fees and perquisites of office (formerly divided among the servants of the respective offices) when collected are now faithfully paid into this Treasury, so that no officer of the civil service is in the receipt, from his situation, but of known and authorized emolument.

The great increase which the Revenue and Customs of this Colony have experienced since it became a British possession makes it difficult and perhaps hazardous to suggest items of augmentation or alteration which might not realize the calculations upon which they shall have been grounded. When your Lordship compares the amount of Colonial Revenue with the number of the white population, upon whom almost exclusively taxation falls, you will not fail to perceive that for a country with only a very insignificant export trade, the inhabitants already bear no inconsiderable proportion of taxation, but the amount of most of the objects of our Revenue must increase as the population increases, and I do not foresee that any great additional charge of collection will be necessary, whereby the expenditure will be enlarged, though for some increase of this nature your Lordship must be prepared. I beg to observe to your Lordship

that the mode of collecting the Customs which I enforced upon my first assuming this Government has had the effect of increasing the receipts of that branch of income at least one third, and that the plan which, under your Lordship's sanction, has been pursued in the disposal of waste lands is rapidly increasing the amount of land revenue.

The British imports into this Settlement in the years 1814 and 1815 have been entered at the Custom House at the declared value of 3,726,000 Rixdollars. The amount is very large for the population of this place, but it shows its utility to and dependence upon Great Britain, and your Lordship will not fail duly to appreciate the benefit to be derived to England from this great consumption of its produce and manufactures. The commerce has hitherto been the source of great profit to British Merchants and Manufacturers, but while these have enriched themselves by this traffic, the revenue of this Settlement has been proportionately advantaged, particularly in the increase of its Customs and of the duties upon public sales (the medium of all traffic here) and of all those various sources which arise from the activity created by a commerce of this extent; but the Merchant in England has had no return to look to from hence of any importance, except the Bills drawn by the Public Departments upon the British Treasury. So dependent has this place been for all its supplies upon England, that the profits which the traders have derived have enabled them to pay daily increasing prices for the only secure means of remittance (the Commissariat Bills on the British Treasury) till at length the paper currency of the country has become depreciated to one half the value at which it was originally issued, particularly when employed in the purchase of Bills upon England or given in exchange for articles of import.

By the system of retrenchment now proposed, this source of payment to the Merchant and Manufacturer will be nearly dried up, and the stagnation which this will cause must necessarily be attended with an injurious effect upon the Revenue in many of its most important branches, nor will the Revenue be the only sufferer, but (as there will be no longer any means by which the Merchant can make his return) the consumption of the manufactures of Great Britain will eventually be reduced, and artificers and manufacturers to a like extent be thrown out of employ, until

our increasing prosperity shall produce an export equivalent to it. In calling upon this country to furnish the Military supplies for the army on the station, a great stop will be put to internal improvement.

Hitherto the Colonial Government has expended the chief part of its surplus upon the various wants of an Infant Colony, public buildings have been created where most essential, villages have been founded, churches built, new territorial divisions have been made, affording thereby protection and facilities to the several classes of population. English manners and English habits are daily becoming more prevalent, and the face of this widely extended, tho' thinly peopled Colony, bears in every feature the marks of the beneficent conduct of the British Government towards its new dependency.

The revenue (that is the taxes) has been increased two thirds since we have had this possession, and the Colonists have cheerfully acquiesced in it, because every individual has witnessed its appropriation. Knowing and feeling themselves, however, to be highly taxed (upon an average as I have before shewn your Lordship, exceeding that at which an inhabitant of Great Britain is taxed) they naturally look for a continuance of those improvements which have been so beneficially begun, and for the formation of others which render the mother country pre-eminent for its benevolence, and which constitute the happiness and comfort of its people. Such are here in the first instance the establishment of a Grammar School upon a liberal and enlightened footing, which with the aid this enviable climate affords, would attract the youth of the first families in India, and would naturally add greatly to the prosperity of this place. The establishment of a public Hospital also suggests itself as a most eligible and important one. The rebuilding the public prison and the wharves both at this place and at Simons Town are works become almost indispensable.

When the door shall be closed to improvements so necessary and so reasonable as these, am I, my Lord, extravagant in apprehending that a contrary system might cause disappointment to grow into discontent, even should the stagnation in a commercial point of view not take place to the extent I have too much reason to fear it will, and should discontent once arise in so extended a country (and whose inhabitants can as yet only

be attached to England as their expectations shall have been raised of its power to increase their prosperity) where is it to stop? And can the feeble aid that the whole surplus of our revenue will afford, my Lord, be put in competition with stunting the growth of an infant population which (if more kindly cherished) might one day become a considerable prop to its parent country.

I have thus, my Lord, candidly and unreservedly laid before your Lordship the apprehensions I entertain for the future welfare of this Colony and for the good will of its inhabitants, and having done so, I have only to assure your Lordship that whatever instructions upon this important subject your Lordship may honour me with shall be executed with the utmost of my ability, and with the most cordial zeal, energy, and anxiety capable of being bestowed upon them. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

Statement of Local Rates and Assessments in the different Districts of the Cape of Good Hope for the year 1815.

	Total Receipts.			Expenditure.		
Cape Town .	Rds. 149,646	0	0	Rds. 134,303	0	0
Cape District .	12,866	4	4	12,693	2	3
Stellenbosch .	40,316	3	0	39,145	5	0
Swellendam .	61,868	6	2	60,879	3	2
George .	22,664	3	0	18,753	5	2
Tulbagh .	21,557	7	0	10,088	7	0
Uitenhage .	19,206	1	4	16,614	7	0
Graaff Reinet .	35,894	0	5	22,418	2	0
	<hr/>			<hr/>		
	Rds. 364,020	2	3	Rds. 314,897	0	1

N.B.—These rates are collected by the Local Magistracy from the following Sources and expended in interior management.

Hearth Money,
Tax on cattle,
Tax on Produce,
Capitation tax,
Income tax.

The four first are of fixed rates, and the latter assessed as the exigencies of the District necessitate.

Colonial Revenue	Rds. 1,147,487	6	5
District Rates	364,020	2	3

Total Rds. 1,511,508 1 2

White population :

Male	18,196
Female	17,306
Total	<hr/> 35,502

at 42 Rix dollars per head, which at par is £8 8 Shillings, but at the present depreciation about £4 10s. Sterling per head.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 6th September 1816.

MY LORD,—I have had the honour of receiving Your Lordship's Dispatches Nos. 54 and 55 which have been duly laid before His Royal Highness The Prince Regent.

I am commanded to signify to you His Royal Highness's entire Approbation of the several proclamations transmitted by you in your Dispatch No. 54.

You cannot be unaware of the Anxiety which His Royal Highness has felt that a general Registry of Slaves should be established in all the British Colonies, and that the Colonies should by the Efficiency of their own internal Regulations upon the Subject supersede the Necessity of any interference on the Part of Great Britain.

It was therefore particularly gratifying to His Royal Highness to learn that you had proposed and that the Colony under your Government had so readily acquiesced in a Measure so well calculated to establish and enforce a Slave Registry as that which you have now communicated, and I am commanded particularly to signify to you the Prince Regent's Approbation of the

Measure itself and of the Arrangements which you have deemed necessary for its effectual execution.

I have not failed to enter into Communication with the Lords Commissioners of the Treasury on the Subject of your Dispatch No. 55. Altho' they concur entirely with Your Lordship in Opinion as to the disadvantageous Effect produced by the present high Rate of Exchange upon the financial Operations of the Cape, and consider that in the Event of the Continuance of the War, the Measure which you have recommended might have been the best calculated to afford an immediate Remedy for the Evil, yet they deem it more advisable to resort to those other Means of Relief which the Restoration of General Peace affords, and which offer a less complicated and they trust more effectual Method of reducing the Exchange.

By the latest Accounts from the Commissariat at the Cape there appeared no Reason to anticipate any immediate Requisition on the part of that Department for a further Supply of Dollars, and as the Price of Silver is now sufficiently reduced to render the transmission of Dollars from this Country to the Cape advantageous, it is proposed to remit to the Colony such Sums in that Coin as may make the Government altogether independent of the Broker who has hitherto engrossed to himself the purchase of the Government Bills upon his own Terms.

But as the real Cause of the unfavourable State of Exchange as it affects the Cape is to be found partly in the Deficiency of its exportable Produce as compared with the Articles imported, and partly in the Depreciation of its paper consequent upon the Absence of all Metallic Currency, His Majesty's Government do not consider any Remedy likely to be so effectual which does not counteract these Causes. The encreasing Industry of the Inhabitants, the improving Cultivation, and the Encouragement recently given here to the Staple produce of the Colony, give every reason to believe that its Exports will at no distant Period approach very nearly in Value to the Articles imported; and in order to obviate the Effects of the present Currency His Majesty's Government have it in Contemplation to prepare such a Proportion of Silver Coinage for the Cape as may meet its actual Wants and give greater Stability to the Paper at present in Circulation.

With this Measure in Contemplation His Majesty's Govern-

ment do not consider it advisable to resort to the Measure which you have provisionally adopted of making Government Bills payable to some firm in England, but at the same time they are ready to do full justice to the Motives which influenced Your Lordship in giving it your Sanction under the Circumstances stated in your Dispatch. I have &c.

(Signed) BATHURST.

P.S.—It will also be desirable in order to give full Effect to the Intentions of His Majesty's Government that Dollars should henceforth be received at the Colonial Treasury in payment of Taxes, or otherwise, at the Rate at which they are issued by the Commissary to the Troops, and that this Arrangement should be generally made known to the Inhabitants.

B.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 7th September 1816.

MY LORD,—I had not the honour to receive Your Lordship's Dispatches of the 10th February last Nos. 46 and 47 until yesterday, these dispatches having been taken on to India and returned from thence by His Majesty's ship *Horatio*.

I most deeply lament that this untoward delay has occurred with regard to the former of these dispatches, as it has not only deprived me of many months of heartfelt gratification, but it has given an appearance of backwardness on my part in acknowledging the condescension with which His Royal Highness The Prince Regent has been graciously pleased to view my humble endeavours in the discharge of my duty here.

I seize the earliest opportunity of earnestly soliciting your Lordship to express to His Royal Highness with my humble duty, how highly I prize his gracious approbation, and I trust His Royal Highness will believe that, to merit a continuance of His Royal Highness's favourable opinion, is not only the first object of my life, but the sole reward for which I labor.

I have also to request your Lordship to accept my most grateful and unfeigned thanks for the very handsome and flattering terms

in which your Lordship has done me the honor to convey to me His Royal Highness's gracious notice of my conduct. I shall avail myself of the permission communicated to me by Your Lordship relative to the reduction of the Colonial Corps, reducing it partially in the first instance and totally as I shall be enabled to replace it by other Troops, for which purpose I trust a British Regiment will be sent to me. In the meantime permit me to solicit Your Lordship's earliest commands relative to the Officers, upon which subject I took the liberty to address Your Lordship in my Dispatch No. 42. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from CAPTAIN FESTING *to* REAR ADMIRAL SIR
PULTENEY MALCOLM.

HIS MAJESTY'S SHIP *Falmouth*, SIMON'S BAY, 12th September 1810.

SIR,—I have the honor to inform you that the Island of Tristan de Acunha was taken possession of in the name of His Majesty, and the Union Flag hoisted on the 14th of August, by a party of seamen and marines belonging to His Majesty's ship under my command.

Two men were found living on the Island, who have been there some years; both appeared glad to place themselves under the protection of the British Flag; we were fortunate at the time of the year in being able to remain nearly three days at anchor, which enabled the party to be placed under good shelter from the weather, their provisions landed, &c., &c.

On the evening of the 17th of August we were obliged to slip, the wind having suddenly shifted directly in, and blew hard.

I send you such information, remarks, &c., as could be collected respecting the Islands. The season of the year (being winter) prevented boats from going about to survey. One was unfortunately lost in attempting to get round the Island, from the sudden change of the weather, crew all saved; she had succeeded in coasting every part of the Island not run near by the *Falmouth*.

The two smaller Islands lying so contiguous to Tristan de Acunha, called Nightingale and Inaccessible, I have directed the officer in command at Tristan de Acunha also to consider himself charged with as possessions of His Majesty, attaching the same instructions received from you for my guidance as to Tristan de Acunha.

I have &c.

(Signed) R. W. G. FESTING, Captain.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 13th September 1816.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's Dispatch No. 55, dated 16th April last, covering an Extract from a report addressed by the Commissioners of Colonial Audit to the Lords Commissioners of His Majesty's Treasury upon the subject of the Finances of the Cape of Good Hope, and desiring me to give directions for regulating the assessment of money on the part of the Landdrosts of the Several Districts of this Settlement, in the manner pointed out by the Auditors. The Extract of the Auditors' Report proceeds to say, "that the District Accounts contain the Receipt and Expenditure of certain assessments levied upon the Inhabitants *by the Landdrost* or Magistrate who appropriates them to the incidental Expences of his District, and that it appears from the conference they have had with Sir John Cradock, that no examination of these Accounts took place by the Auditor or any Officer appointed for that purpose by the Governor, until the latter part of his administration when he directed them to be submitted to the inspection of a Committee whose report had not been received when Sir John Cradock quitted the Settlement."

The Auditors observe, that the Accounts in question should be examined, under the immediate direction of the Governor, and state that unless this control is established the power of raising Money from the Inhabitants and the appropriation of it are left to Individuals, who become the sole Judges of the propriety of the

Expenditure and of the correctness with which it is accounted for without the Government of the Colony having an Opportunity of deciding upon either, and finally after directing the Mode which occurs to them from Sir John Cradock's information best to be adopted with respect to local Assessments, suggesting that these Accounts and Vouchers should be submitted to their final Audit.

After the full report which I had the honor of making to your Lordship on the subject of the Colonial Finance, on the first of this month, I did not expect that it would be again so soon necessary to enter into further details, but the information which the Auditors have received is so extremely erroneous, that it is a duty I owe to the Landdrosts of the several Districts of the Settlement to lose no time in setting your Lordship right upon the very material points which are the subject of the animadversion of the Auditors of Colonial Accounts. For this purpose I enclose to your Lordship a translation of the Instructions of the Batavian Government under which the Courts of Landdrost and Heemraden have invariably acted from the period of the Capture of the Colony in 1806 to the end of Sir John Cradock's administration. Your Lordship will, by the 115th Article, perceive that these monies were considered by the Batavian Government as monies "belonging to the Districts." Your Lordship will observe by the 116th Art. that at no period were the Landdrosts authorized to assess the District for any proportion of the Expenditure; but, that if the fixed revenue of the District was not adequate to the Expenditure, they were to report the circumstance to the Governor, in order that *he* might devise means for covering the deficit. Your Lordship will see in the 117th Article the strict care that was taken to prevent the Landdrosts having command of the Chest or the Appropriation of the contents, and your Lordship will notice the very precise Mode in which these Boards are directed to make up their Accounts. And I have further to assure your Lordship that I have ascertained that the respective District Accounts were so made up for the years 1806, 7, 8, 9, 10, 11, 12, and 13, and transmitted to the Colonial Office for the information of the Governor for the time being, where one of the Secretaries examined minutely the several heads of expenditure and charges, and frequently by directions from the Governor corresponded with the several Boards upon the contents of them. I beg further to acquaint Your Lordship that upon enquiry into this subject, it appears that in con-

sequence of there being an inequality in the local Assessments, some districts being at more expence than others, Sir John Cradock endeavoured to equalize them, and referred the subject to a Committee to report upon; this Committee did so report, adopting chiefly the Suggestions of Mr. Truter the Chief Justice, which suggestions Sir John Cradock formed into a Proclamation on the 1st April 1814, in which he directs that the Accounts in question shall thereafter be submitted to the Auditor of the Colony, which direction has been since invariably adhered to.

I trust Your Lordship will be convinced from this statement of the misapprehension under which the Auditors have made their report, and that I shall meet with Your Lordship's indulgence in submitting that the Courts of Landdrost and Heemraden have many and difficult duties to perform, which as far as the Heemraden are concerned, they execute gratuitously, being elected from the most respected Members of the Districts and a proportion of them changed annually; that therefore, if Boards so constituted are to be considered Public Accountants and to be subjected to the inconveniences and perils attending persons so situated, it will scarcely be practicable to induce any of the Inhabitants to undertake the municipal functions they now execute for the honour of belonging to a respectable Board; and that the Monies which pass through their hands not being considered by the Colonists as Government Revenue they are not liable to such investigations or to be looked upon in any other light than our Parochial assessments. In the present situation of the Settlement perhaps no better or more æconomical System for the regulation of the interior could be adopted than the one executed by the Courts of Landdrost and Heemraden, and I am, therefore, anxious that your Lordship should see the difficulties which may attend the carrying Your Lordship's Orders into immediate effect. In the meantime, however, Your Lordship will see that the most vigilant attention is paid to the æconomy even of these Boards, and that if it should be finally decided that their accounts are to go to England, they will be in a state of readiness for that purpose. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

*Extract from the Instructions for the guidance of the Board of
Landdrost and Heemraden.*

Art. 115.—Concerning the Finances of the District the Landdrost and Heemraden are to use the greatest punctuality in the receipt of all Revenues, and as much frugality in the disbursements as possible. The first promotes the regularity and preserves the due proportion in the Contribution, whereas the latter procures tranquillity to the Inhabitants that they contribute their proportion truly for the benefit of the Public.

Art. 116.—Landdrost and Heemraden are not competent to lay on new assessments. Whenever the Customary Revenues are not sufficient to defray the Expences, they are to give notice hereof to the Governor and Council, adding their opinion thereon, so that the Governor and Council may judge and determine by which means their funds shall be supported.

Art. 117.—No payment whatsoever shall be allowed to be made out of the Treasury of the Districts, before the accounts shall have been examined and approved of by the Court of Landdrost and Heemraden, of which due notice shall be taken in their Records.

Art. 118.—Keeping the yearly accounts of Receipts and disbursements or at least when fairly copied all entries shall not only be according to date, but must also be entered and answered for under distinct heads in such manner that on comparing the one year with the other, the augmentation or diminution of the Capital under each Head may be immediately distinguished, for example :

The Receipts.

1. Head. The Balance in favor of the foregoing year.
2. „ Produce of Payments for Mills, cloof monies, poundage, Tolls, and the like.
3. „ Penalties and Fines.
4. „ All manner of Receipts.

The Payments.

1. Head. The Public Salaries.
2. „ Expences of Criminal Justice Inspections, &c.

3. Head. Support of Buildings, the fire Engines, Pounds, &c.
4. „ Support of the cloofs, roads, and Water leadings, daily wages of the people employed for that purpose.
5. „ Of the Landdrost and Heemraden.
6. „ All kinds of disbursements, among which the expences paid more the preceding year ought also to be placed in case in a certain year the Receipts shall not supply the disbursements.

Altho' in the one or other year, perhaps no entry may occur for payments received or made in one of the above heads, must nevertheless unalterably be placed in the accounts and wrote underneath *Pro Memoria Nihil*.

Art. 119.—There shall not be allowed to contract debts between the Sheriffalties without the express permission of the Governor and General in Chief.

Art. 120.—All monies of the District are to be received by the Landdrost, and to remain in the Sheriffalty in a chest, with three different locks, of which one key shall remain with the Landdrost and the two other to be given to two different Heemraden, who are, every year, at the Election of new Heemraden to be expressly appointed, the one shall have no access to the Treasury without the others, and all three are personally responsible for the same.

Art. 121.—At every Ordinary Meeting of Landdrost and Heemraden, after the received Accounts shall be examined, the Landdrost is to deliver up together with a specification all monies received by him, and on the other hand there shall be paid to him such amount out of the Treasury of the District as shall be necessary for the payment of the approved Accounts, to which amount may be added as much as by guess shall be judged sufficient to defray the Expences till the next Court day; which circumstances are daily to be noted down in the Records.

Art. 122.—At the first following Court day the Landdrost is to produce proper Receipts of the Payments made by him in the Interim, which is also to be recorded; whilst the receipts are to be delivered up to the Secretary that he may note down the accounts of the same, agreeable to the 118th Art., under their respective heads, and afterwards at the End of every year from the Books of the District.

Art. 123.—Every year at the first Court day at the change of the old and new Heemraden, before the departure of the first the Secretary shall be obliged to deliver up to the Board in due form an account of the District's Treasury, Numbered with all the annexures thereunto relating, as well as the account shewing the general state of the Finances and effects of the District, which accounts are to be examined, and being found correct are to be signed in the presence of the Landdrost respectively by the superseded, continuing, and new elected Heemraden, and sent to the Governor and Council.

Art. 124.—At the bottom of the above Account of the State of the Finances and Effects of the District, is to be added, to the Signature of the Landdrost and further Members of the new established Board, the following verbal declaration “that all effects and ready money, which according to the formed statement ought to stand in favor of the District, do actually exist, and were found as such by them before the Signature of that Statement, and for which reason were taken into their personal responsibility.”

Art. 163.—New Buildings are not allowed to be constructed in the Country Districts out of the monies of the District, except it be absolutely necessary for some particular object, and then only by permission of the Governor and General in Chief, to whom the Landdrost and Heemraden shall be obliged to apply, and request the liberty in writing, mentioning exactly the reason of the necessity or particular use of the same, as also the probable expences which will be required for the same.

[Original.]

Letter from R. B. FISHER, ESQRE., to EARL BATHURST.

4 SOUTHAMPTON PLACE, EUSTON SQUARE, *September 13th 1816.*

MY LORD,—I have essayed by every Means in my reach to induce your Lordship to take into your serious Consideration the real State and Condition of that most valuable Colony the Cape of Good Hope. I earnestly requested your Lordship's perusal of my Pamphlet, on “the Importance of the Cape of Good Hope as a Colony to Great Britain.” Through the Medium of my friend

Mr. Pitt, Member for Cricklade, I have often ventured to suggest some Ideas on the subject. I have tried your Lordship's Secretaries, Mr. Goulburn and S^r Henry Bunbury, but I have not been able to learn, that as yet anything whatsoever has been done, or for aught appears in public, to have been in Contemplation, with respect to the present or future Condition of the Cape. As to its Importance as a Colony, independently of any other Considerations, great as they are, nothing need be added, to what I have reported, to convince every attentive Peruser of the Fact. What I have asserted is from my own personal notice and Observation, and for the Truth, I appeal to my most worthy friend General Sir John Cradock, late Governor of the Cape. From Mr. Hamilton Ross, at this moment in England, and other Merchants at the Cape, I am in possession of still further Information: And I will venture to predict, that if some energetic Measures are not very speedily taken, We must inevitably lose a Colony, that if it be not already, with the greatest Ease might be made the most valuable and important of any belonging to the British Crown. In its present defenceless State, it may be taken by any power, but is most likely, by the Reduction of the Cape Regiment, and other military force there, to become a Prey to the revengeful and blood thirsty Caffres.

I have spoken very sufficiently, as to the Laws, Constitution, Trade and Commerce of the Country, and to the Religion and Manners of it, I have added something in my late public Letter to Mr. Wilberforce, of which, lest it may not have met your Lordship's Eye, I beg to inclose a Copy. The Picture, I have there been obliged to draw, while it is to the last degree disgusting and humiliating, is disgraceful to this Country. I am well aware of the Opinion held, by a certain Noble Lord, on the subject of the Cape at the Treaty of Amiens: when its Surrender was justified on the Ground of its being an expensive Settlement; And I well remember the Observation of a Writer, entitled to no small Credit, "That the Cant of Economy was but a poor Justification for the Sacrifice of a place of such Importance."

Admitting the Argument to have been good at that time, I submit to Your Lordship it does not hold now. Very great Resources are now in that Country. I understand your Lordship's Objection to a Change of Laws and Constitution, is from delicacy, lest such a Measure may not be agreeable to the Inhabitants of the

Country generally: But to this I answer, without fear of Contradiction from any Quarter, that the Laws now in existence at the Cape are in themselves the most abominable, in their Execution still worse, and that nothing would make that Country so truly happy and prosperous as the Establishment of the English Laws and Trial by Jury.

Sir William Scott was of Opinion that the last Treaty in the year 1806 bound this Country to a preservation of the Laws of the Colony, but I have since learnt from that Gentleman he has changed that Opinion. Nothing therefore seems to stand in the Way to prevent the Completion of an Object of such vast Importance both to this Country, as deriving incalculable Advantages from a flourishing Colony, and to the Colony itself, in its very vital Interests.

The very circumstances of the times, I beg also seriously to submit to your Lordship, must highly favor the Scheme I have suggested. Independent of Patronage, on which it would not become me to speak, I am well persuaded that by the Adoption of this Scheme immediate provision might be made for Thousands, who are now clamouring with Want.

My Lord, I am but a poor and insignificant Individual, and without further knowledge of me, You may be inclined to consider my Scheme visionary and ephemeral. But I do assure your Lordship, that I have been impelled by a Sense of Duty to my Country, and a Charitable and Christian Disposition to do all the good in my power to another; And that is the principal Inducement for having at this time troubled your Lordship.

For your Lordship's better satisfaction, I beg to inform your Lordship that I am younger Brother to the Bishop of Salisbury, and am extremely well known to the two worthy Characters I have before spoken of, Sir John Cradock and Mr. Pitt, Member for Cricklade. I have also the Honor to be well known to very many Members of the House of Commons.

Trusting to your Lordship's Liberality and Candour to excuse the Liberty of this long Address, I have &c.

(Signed) R. B. FISHER.

[Enclosure in the above.]

To WILLIAM WILBERFORCE, ESQ., M.P.

SIR,—Having on every occasion proved yourself the friend of suffering humanity, I shall venture to address you without further preface or apology, on a subject to which I cannot but be persuaded you will most cheerfully pay every attention; because it is one which involves the feelings of humanity with the duties of a Christian. At the present moment too, while such an interest is exerted as to the state of our West India Islands, and the condition of slavery there, it may not be unseasonable to you to know the state and condition of the slaves in one of our most valuable colonies, the Cape of Good Hope. I have had occasion to remark generally on the very lax state of the religion of that colony, in a little Work I lately put forth to the world, intitled "*The Importance of the Cape of Good Hope as a Colony to Great Britain.*" I have there stated, as a fact not to be disputed, that the murder of a slave or Hottentot is not considered a crime deserving the punishment of death. The murder of infants generally passes by unregarded; and I have instanced the report made to me by an officer of very respectable character in the 93rd regiment, of his having himself seen the bodies of no less than thirteen infants lying exposed on the beach, and no inquiry made. During my own residence in Cape Town, the bodies of three white infants were discovered lying on the beach, and still no inquiry made.

I have also mentioned a fact within my own knowledge, of the temerity of a man who appealed to the Governor as to the supposed hardship of his case, although he was not condemned to death by the Dutch laws for the wilful murder of a Hottentot, but sentenced to a punishment comparatively trifling, and bordering on the ridiculous. This case, I believe, has been officially reported to Government, by that excellent man, the late worthy Governor, Sir J. F. Cradock.

The crime of incest is publicly known to exist in Cape Town, and there are now in England persons capable of proving the fact; but so lightly is this crime considered, that there is no instance of its ever having been punished. Nay, it almost shocks me to relate, that not long since, a wretch was known to exist in

the colony, who proudly boasted, that he had washed the blackamoor white : in other terms, that he had himself produced several generations.

But short of such dreadful cases as I have here mentioned, it is but too true that an universal state of depravity, a general want of principle, and most abominable corruption of manners pervades the whole colony. Can we, then, be surprised at the dreadful state of the poor slaves in it ?

It is well known to every one, in the least acquainted with Cape Town, that there are a number of people who subsist entirely on the wages of their slaves for hire, and the female slaves are let out by their mistresses at so much per week to Europeans, for the sole purpose of prostitution ; and there still, I believe, lives in that town, a woman of considerable note, and who is seen every day parading to church, attended by slaves, with her books, stool, and cushion, and visited by all the superior Dutch people, that derives a very considerable income from this most shocking and infamous trade.

I know it has been asserted that the slaves of the Cape are better treated by their masters, undergo fewer hardships, and are in all respects much better off than the slaves in the West Indies. But this is a point I will never concede. I am free to admit, that there are few instances of the murder of slaves, because being considered as a valuable property, a man will no more kill his slave than he will kill his horse, while he has strength to work. But when a slave is no longer able to work, his condition becomes dreadful in the extreme. He is left almost literally to starve.

The slaves of the Cape have not the advantages that those in the West Indies have, of obtaining small possessions and habitations of their own, nor are there anything like families, but a promiscuous intercourse generally prevails among the sexes. The endearing relations of husband and wife are unknown to them. They are indiscriminately thrown into one room, called the slave-lodge, which every family has ; and excepting the article of fish, which in Cape Town, is in the greatest possible plenty, the poor slaves have, for the most part, to seek their own provisions, the master most *humanely* giving them the price of their labour on the sabbath, to procure the sustenance of the following week. This practice leads to the most abominable profanation of the sabbath ; for all the business of Cape Town is transacted on a

Sunday. And this starving condition of the slaves leads to the commission of every kind of theft.

Miserable and wretched as is the condition of the bodies of the poor slaves, much less consideration is had for their souls. They are not considered at all in the light of human beings, for they have scarcely anything like language, being never taught to speak; but even thought more valuable on that account. It cannot, therefore, be matter of surprise that for the most part these poor people have no knowledge or belief in a Divine Author of all things, nor any expectation of a future state. Except some few Malay slaves, who appear to have some indistinct notions of religion, and hold meetings at stated periods, the bulk of slaves, not only have no place of worship, but are absolutely prohibited from entering any place of that sort; and they are not even allowed burial, with what are called Christians. An instance occurred while I was in the colony, of a slave happening to be buried in a burying-ground with Christians: although the body had been interred many days, it was taken up by the Dutch Authorities, as having defiled the place. In Cape Town, slaves always attend their masters and mistresses to the church door, but on no account enter, but sit in rows on the outside during the service. Should any one attempt to teach a slave, it would be thought an infringement of the laws, and a complaint would immediately be made to the Fiscal, or common prosecutor, who is sufficiently astute in discovering offences, real or supposed, which are always punished by fines, which go into his own pocket or the members of the court of justice; and the poor slave would besides receive the most horrid punishment in what is called the trunk or common gaol. I have heard the mode of it from several English, who have been eye-witnesses, and who describe it as infinitely more severe and more dreadful than any inflicted in any of our colonies on the other side of the Atlantic. I must here observe, that the punishment of the slaves is entirely at the will and pleasure of the masters. No trial is had, no examination or inquiry takes place, but for any real or imaginary offence or transgression, the poor slave is sent by the master, at pleasure, to the trunk for punishment, in the proportion he chooses, measuring it out by the quantum of money sent with the unfortunate object for the purpose. In the meanwhile, it is considered as an offence even to suppose the master to be capable of wrong to his servant;

and I remember an action to have been brought against an English officer, for a libel, in saying that the master had been guilty of cruelty to a slave, when the poor object bore on all parts of her body visible and indisputable marks of the most abominable cruelty. While these poor creatures are thus treated and held in this degraded state, you will not be surprised that they are never allowed to give evidence, either on oath or otherwise, and therefore exist in a much less protected state than the hares and pheasants, and even the rabbits of this country. They must not, and they cannot complain.

A practice has for many years obtained at the Cape, for which at that place an order of council from this country is pleaded as a sanction, of binding out apprentice slaves, for a long term of years, seven, fourteen, or even twenty-one years. How far there be any such authority I do not pretend to determine, but of the abuse of it I can very well speak. I myself know two slaves, women, whose appearance would justify me in guessing them at the age of forty years at least, who have often related to me that they have been in that condition ever since they were children, and are always told by their masters that the time of their apprenticeship is not yet expired, but they have still one year more to serve. The case of poor Maria Theresa, a slave to the present President of the Court of Justice, having already found its way into the public prints of this country, it is unnecessary for me to add more upon it. But it is much to be lamented that odium and censure was the only return made for all the pains and trouble taken on the occasion by an English gentleman, whose philanthropy and goodness of heart will ever reflect upon him the highest credit, and entitle him to the love and esteem of every friend of humanity and Christianity. I regret that I cannot pay the same tribute to the master of the slave, who, one would have thought, should have been the protector of injured innocence.

I beg here to observe, that in drawing this truly humiliating picture of human nature, I speak of what I have seen, and know myself to be generally the case. That there are families where the slaves are very differently treated, I am ready to admit; and in some, I have really witnessed very kind masters and mistresses; but at the same time I must be allowed to say, that the instances are but rare.

While on this part of the case I cannot forbear mentioning a

circumstance that happened during my stay at the Cape :—a slave trade-ship, bound from the Mozambique coast to Rio Janeiro, in her passage, off False Bay, lost her rudder, and put into Simon's Bay to refit. I went on board of her, and found, I think, about 500 Mozambique slaves, of all ages and sexes. It was shortly discovered that the ship (although actually in the Portuguese trade,) was an English bottom, and therefore seized and condemned as prize by the British Court of Admiralty. The slaves were put on shore, and under the before-mentioned supposed authority of an order of council, were bound out apprentices by the collector of the customs for the space of fourteen years, to people of every description, not only English, Dutch, and French settlers, but even to officers in the British army. The indentures of many of these apprentices I have myself seen, and for which the collector of the customs charged the masters and mistresses of the apprentices to the amount of about two guineas. Very many questions, I am aware, may and will arise upon these facts ; but the most material, for the present purpose, may be that of the justice and propriety of a slavery imposed in an English colony, although for a limited period.

Such then is the melancholy picture of the state of slavery in the colony of the Cape, which so far from having exaggerated, I have been short in my description ; for of the dreadful cruelties of individuals, of the Dutch masters to their slaves, I have been informed of such a catalogue, as would tire by the bare relation, while it would fill the mind with horror and disgust—and I also could speak much of my own knowledge. Can such a picture as this be viewed, without claiming our instant commiseration and compassion ? Surely not ! Nor should I have discharged my own duty, had I not endeavoured to awaken others to a due sense of the wrongs of thousands, who, in addition to the miseries of slavery, experience from the hardest of masters the most severe treatment in this life, and are utterly shut out and excluded from all knowledge and hope of the future.

I must observe, that neither the Mozambique any more than the Malay slaves, are deficient in intellect, which some of the Hottentots, even in an improved state, certainly are. The Mozambique slaves are the most numerous and healthy race, and are generally extremely docile and tractable. With proper management and instruction they soon become good servants, and easily

attain a sufficiency of language for the ordinary purposes of life, and have minds capable of cultivation.

In the indentures of apprenticeship, before alluded to, are clauses, not only for the proper maintenance and clothing of these poor people, but for the instruction of them in the Christian religion, and for baptizing them. No attention, however, is paid towards an enforcement of these clauses, nor ever will, while the Dutch masters hold as a principle—that ignorance constitutes a good slave. And as long as the Dutch laws continue in force at the Cape, so long will the wretched state of the poor slaves continue.

Before anything can be done towards enlightening the minds of these unfortunate beings, we must first endeavour to ameliorate their condition. The promiscuous intercourse of the sexes should at once be abolished, which would have a doubly good effect. And the observance of the sabbath, if only as a day of rest, would operate most wonderfully on their minds, and they would soon be brought to consider it in an infinitely more exalted point of view; when by instruction they would be taught to rejoice in it, as a day not only of rest from their labours, but a day set apart by God himself to be spent in prayer and thanksgiving.

Schools of instruction, if under the authority of the British Government, might easily be established, to which the masters should be compelled to send their slaves: and an attendance of the slaves should be enforced at Divine Service in the churches, even before baptism.

This would be the only method of making thousands of our fellow creatures comfortable in this life, and affording them reasonable hopes of an hereafter. But, so long as the Dutch Government is to be the Government of that colony, and the laws now existing there are to continue, all prospect of bettering the condition of the slaves, or enlightening their minds, is nugatory and impossible.

When once brought into this amended state, it would be extremely advisable to encourage the poor slaves, by giving separate habitations, and small pieces of land to cultivate as gardens, to such as might be induced to live in a conjugal state, which would soon become highly respected. And, even in an interested point of view, the introduction of marriage would be soon found to have the most beneficial effects, by the increase

of population, which is now exceedingly hindered by the present shameful promiscuous intercourse between the sexes.

Should it ultimately be determined to introduce to the colony of the Cape an English Constitution, with English laws, and trial by jury, a measure anxiously wished for and desired, not only by British settlers but by those of all other countries, and even the Dutch themselves, who are heartily sick and tired of the tyranny and oppression of the Courts and what are called the Roman Laws; it must be an indispensable necessity to establish the English language as the general language of the country, and in this and no other should the slaves be educated. While resident myself in the colony, I experienced the greatest inconvenience of finding in all the public offices, military as well as civil, the use of different languages; as Dutchmen and Africans had crept into every department, which ought more properly to have been filled by English—even in the Paymaster General's office, Commissary's office, &c., &c. It might, perhaps, be thought unfair to exclude natives altogether; but speaking and writing fluently and grammatically the English language, ought to be an indispensable condition and qualification for the holding of any office whatsoever under the Government.

In the little Treatise I before alluded to, I have already gone so fully into the present state of the laws as now existing and enforced in the colony of the Cape of Good Hope, that it would be superfluous in this place to say more upon the subject, trusting that it must be evident to every thinking mind, that the state of slavery in that colony can never be amended or ameliorated under them. The entire abolition of slavery, if such an idea ever existed, is wild and visionary; while every possible exertion contributing to the happiness and comfort of those, who seem, as it were designed by Providence, to exist in the peculiar rank of life they are placed, becomes a bounden duty of every Christian and friend of humanity. Let the measures I have pointed out be strictly attended to, and the state and condition of slaves in Southern Africa would be nothing inferior to the ordinary class of most of the manufacturing poor of this country, and infinitely better than that of the labouring poor.

I beg to assure you, Sir, that while it affords me infinite satisfaction to find that you so nobly persevere in the grand cause of humanity, I am myself no way interested or influenced by

a different motive : and could we but rouse in others the same sentiments, how glorious might we hope to be the success of a scheme that has so truly laudable an object in view ! I have &c.

(Signed) R. B. FISHER.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 16th September 1816.

MY LORD,—I have the honour to acknowledge the Receipt of your Lordship's Dispatch No. 57 transmitting a Request on the part of Colonel Cuyler to be exonerated from the payment of Quit rent on a grant of Land already made to him in perpetuity, and to acquaint you that altho' I concur with you in considering the Loss which the Public would thereby sustain as little worthy of Consideration in this Individual Case, yet I deem it highly inexpedient to establish a precedent for an abandonment of the quit rents which are too small to be a Burthen upon the Holders of the Lands, and which in no degree affect the Tenure. Altho' therefore I should have been happy to evince my Sense of Colonel Cuyler's services in the Colony, I do not feel myself at Liberty to accede to his Request, which I conceive would establish a precedent inconvenient in itself, and likely in its effects hereafter to be prejudicial to the Interests of the Colony. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 17th September 1816.

MY LORD,—Adverting to your Lordship's communication containing an Application from Mr. Beelaerts van Blokland soliciting the Release of certain effects and Property which had been seized

at the Custom House, I have the honour to acquaint your Lordship that the Lords Commissioners of the Treasury have ordered the Restoration of the Articles in question. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 19th September 1816.

MY LORD,—Referring to my Dispatch No. 62, in which, under the heads of “Auditor of Accounts and Fiscal,” of the annexed “Statement of the duties of the Civil Servants of this Settlement,” I had the honour of preparing Your Lordship for a consideration of the claims of the Deputy Fiscal and of the Auditor’s Clerk to further remuneration. I now beg to submit to Your Lordship that the Deputy Fiscal’s Salary shall be increased from 3000 Rixdollars to 4,500, and the Salary of the Auditor’s Clerk from 800 Rixdollars to 1200, both to take place from the 1st of July last.

The predecessor of Mr. Borchers, the present Deputy Fiscal, had a Salary of 5000 Rixdollars, and when Mr. Borchers took his present office from being Secretary to the Stellenbosch District, it was under the impression that he would be entitled to an increase to the same amount, after that he should have served as Deputy Fiscal three years.

The unremitting duties of the police and the constant attendance required of this Magistrate, I should trust, will be sufficiently obvious to Your Lordship, and enable you to sanction my solicitation to be allowed to make this usual increase of Mr. Borchers’ present Salary. I am bound to say that it will be difficult, if Mr. Borchers should quit his Station to unite so much assiduity and information in the person who should succeed him.

The very great duties thrown upon the Auditor by the late regulations of His Majesty’s Treasury, require greater assistance than what he at present has, and I have, therefore, been under the necessity of allowing him to take another clerk at the low Salary of 700 Rixdollars, being little more than £70 at the present

rate of Exchange, and I beg your Lordship's further sanction to the increase of the first clerk's Salary from 800 to 1200 Rixdollars as before stated. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, September 19th 1816.

MY LORD,—By His Majesty's Ship *Falmouth*, which arrived here on the 12th instant, I had the honour to receive instructions through His Royal Highness the Commander in Chief's Military Secretary for the embarkation of the 83rd Foot for Ceylon.

This reduction of the Force under my command will consequently take place as soon as the detachments in the interior can be called in and the officer commanding the Naval Force here shall have provided sufficient tonnage for the embarkation of the corps. But, my Lord, however painful it is to me to entreat a reconsideration of any measure which His Majesty's Government at home from more enlarged views of the circumstances of our widely extended Empire have thought proper to adopt, yet that duty which I am called upon to perform in the preservation of this Settlement to His Majesty necessitates my laying before your Lordship in strong, but not exaggerated terms, the dangers which are to be apprehended should this Garrison not be reinforced at an early period.

I had the honour in my despatch dated the 29th of June last to submit to your Lordship that the reduced duties of this Colony required a force of not less than 4,000 men, and more recently, in my communication No. 62 I grounded the calculations there necessary upon this supposition. Every day's experience convinces me that it would be impolitic and unsafe to keep a less force than 1,100 men upon the Eastern Frontier, and I am also daily more and more impressed with the necessity of composing that force of *British* troops. This large detachment from the Garrison of this place and its dependencies has arduous and

harassing duties to perform, it not only has to guard a frontier of 300 miles against the encroachments, assassinations, and depredations of the savage hordes of the Border, but the occurrences of last year prove that the presence of British troops is necessary for interior tranquillity.

The removal of the 83rd Regiment is not, as your Lordship knows, the only reduction this army has undergone, but it has been further diminished by the reduction of the three companies of the Royal Artillery from 120 men in each Company to 63, and by the disbanding of the Artillery drivers amounting to 86 men. The remaining battalions of Infantry are the 1st Battalion 60th and the 72nd Regiment, the latter consisting only of 650 men, of which 300 at least must relieve the 400 of the 83rd Regiment now detached in the interior; add to which that the duties of the remaining outposts require upon the smallest calculation 400 men, and your Lordship will immediately perceive the weakness which results.

I have been under the necessity of saying that the detachments of the 83rd Regiment "must" be relieved by the 72nd Foot, in order that I might explain to your Lordship that it became at a former period expedient to remove the 60th Regiment from those duties which from their scattered nature required men of the steadiest character. The men of the Battalion in question are all foreigners except 14 deserters from other armies. Restless in their characters, anxious to return to their own countries or at any rate to be removed from the sameness of this distant establishment, men so circumstanced, looking so wistfully for change, without attachment to the Government which supports them, appear to be ill calculated for associating with the lower class of inhabitants of a recently acquired country, whose principles are not yet by any means fixed, and the inconvenience has been sensibly felt and remarked. Add to these considerations that the police duties of this place require a vigilance which in former times was not necessary, and it is impossible to disguise from ourselves that the questions with respect to slavery which have been agitated and canvassed in all societies of late years have excited feelings in the Black population here not antecedently adverted to, nor can I omit stating to your Lordship that the recent occurrences at Barbadoes have caused in this town a strong sensation.

When it is remarked how much more numerous the blacks are than the whites, it will be obvious that caution is essential, and that the Executive Government should have the means of showing the greatest energy and firmness, if ever a spirit of insubordination should manifest itself. The Black population amounts altogether to 48,000 souls, not dangerous perhaps if assembled and marching to the capital, but extremely so if ever instigated by disaffected foreigners or others to add their strength, or any considerable portion of it, to that of the savages who are already so troublesome to our borders. But, my Lord, supposing the 1st Battalion of the 60th Regiment was not composed of the description of men I have alluded to, still the removal of the 83rd Regiment will leave this place with a Force inadequate to the duties, as your Lordship will perceive from the enclosed detailed returns, and that Force will be daily diminished from the nature of the enlistment of the men of the 60th Regiment. The present strength of the Battalion is 951, of which 217 become entitled to their discharges in the course of the present year, and 541 more in the course of the next (1817), when the Battalion will of course be reduced to 193 rank and file, which circumstance has been already stated to Sir Henry Torrens and to the Adjutant General in communications of the 3rd March and 29th June last. It is true that I have been urged to make every exertion to induce the men to re-enlist as their engagements expire, but upon communication with the Commanding Officer I do not entertain much hope of ultimate success. I enclose to your Lordship an extract from a letter of Lieutenant Colonel Andrews (Commanding this Battalion) on this subject to my Military Secretary, from which your Lordship will have further insight into the state of the corps in question. I am to add to this reasoning that the measure of disbanding the Cape Regiment so frequently urged from hence and which your Lordship in your despatch of 10th February states to be a measure which His Majesty's Government at home is anxious to have effected, must for the present be entirely set aside.

It is my wish on all occasions to put faithfully before your Lordship all the circumstances of the trust reposed in me, and in doing so at the present moment I hope that your Lordship will be impressed that I am complying with an essential and important duty, and that your Lordship will be fully convinced of the absolute necessity which compels me to solicit the early reinforce-

ment of this command by a Battalion of equal strength to the 83rd Regiment (about to quit this station) and by another in time to meet the deficiency which will occur in 1817 by the expiration of the service of the men of the 1st Battalion of the 60th specified in the return. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 24th September 1816.

MY LORD,—I have the honour of transmitting to Your Lordship an Extract of a Letter addressed by Mr. R. B. Fisher to Mr. Wilberforce, and since published, in which it is stated that the Crime of Infanticide generally prevails at the Cape of Good Hope, and that an Officer of the 93rd Regiment has stated himself to have seen no less than thirteen murdered Infants lying on the Beach without any Enquiry as to the Manner in which they lost their lives. Altho' from the inaccuracy of other Statements respecting the Colony contained in the same Letter to Mr. Wilberforce, I am disposed to pay but little Attention to Mr. Fisher's unsupported Assertions, yet as the Case to which the Extract refers is of so aggravated a Nature and is to a certain degree supported by other Testimony, I cannot but consider it as requiring Investigation. I have therefore to desire that your Lordship will institute immediate Enquiry into the Circumstances of the Case, in order to ascertain the degree of Credit to which the Statement is entitled, and to discover whether the Crime of Infanticide asserted to be so generally prevalent in the Colony prevails more at the Cape than elsewhere. Your Lordship will not fail to report to me the Result of Your Enquiries. I have &c.

(Signed) BATHURST.

[Original.]

Letter from BENJAMIN MOODIE, ESQRE., *to*
ALEXANDER MCLEAY, ESQRE.

53 GREEN STREET, GROSVENOR SQUARE, *September 26th 1816.*

DEAR SIR,—I enclose herewith a letter addressed to Mr. Goldburn requesting to know what extent of land it is intended to grant to me at the Cape. Your kindness in offering to forward it to him has induced me to trouble you with a sketch of the views, which, the little information my opportunities have hitherto enabled me to collect on the subject of this speculation, has led me to take of it.

The first thing to be considered is the part of the colony to fix upon for settling in, the difficulties of deciding on which at so great a distance it is impossible to get rid of. I should therefore wish that the order for the Grant allowed me to pitch on my situation without of course interfering with the vested right of any individual. It is not my wish to be near the Cape, because, I conceive the example of the Dutch Colonists would be injurious to the habits of industry which the repayment of my capital as well as the individual success of the settlers will depend so much upon. If Government therefore intends to preserve any lands which might be considered valuable on account of their neighbourhood to the Cape, I see few objections to my choice being limited to the districts of Zwellendam and Graaff Reynet, the most distant of the four into which the Colony is divided.

The next thing to be attended to is the quantity. In the outline you have seen of my plan which was intended to have been submitted for the approbation of Government, I stated thereby six square miles with a power to the Governor to grant more if he judged it necessary, as the extent required for the accommodation of my people. This I did by the advice of a Gentleman from the Cape with whom I have been fortunate enough to meet in this country; and from his statements on the subject it is probable that any objection to the extent must originate in want of information on the value of the land and the manner of occupying it. On recurring to Mr. Barrow's work I find that the extent of a *loan farm* which is almost the only denomination of quantity in the distant parts of the colony is nine square miles, or half an hour's walk in every direction from a point in the centre of it, and that

from the manner of laying them out loan farms are generally double that size. For this the boer who possesses it pays a rent or feu duty of 24 Rixdollars or £2-8-0, and on that condition holds in fact the fee simple of the lands, and that gentleman has informed me that since the publication of his book the occupiers have been allowed to purchase them entirely. If it is considered that with the exception of the banks of the periodical rivers a great part of it is only fit for grazing, this extent cannot be too much for a family. Four times as much I should hardly think too extensive for the accommodation of perhaps some hundreds. However it would answer nearly as well if I was allowed to select at first a spot of the size of a loan farm with a promise on the part of government that an additional quantity would be granted in proportion to the number of families to be provided for, the minimum of which for each family should be fixed. It is partly by limiting the settlers to the small extent necessary for the cultivation of the vine and furnishing the means of subsistence, and to the profits to be derived from the application of the surplus to pasturage that I trust for preserving their habits of industry and reimbursing myself.

An assurance that the agreements with me entered into by the settlers in this country will be sustained at the Cape of Good Hope seems also to be necessary.

That I may add as little as possible in future to the trouble this business has already given you, I shall advert to another point on which any promise from government is rather to be wished than expected at present.

When a few individuals from this country have settled in a distant part of the colony, it has been usual to create a new district or division, and appoint one of them the civil magistrate in it in order to avoid interference with the Dutch colonists. That my appointment to that situation over the people I carry out would be the natural consequence of the success of my speculation I have been told by some who have been long resident at the Cape; but it would be desirable at first that no person unacquainted with the customs of the Highlanders had a right to interfere in the internal regulations of their settlement. This is however a matter of minor importance. With great respect, I am &c.

(Signed) BENJAMIN MOODIE.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 29th September 1816.

MY LORD,—I transmit to your Lordship an Application which has been addressed to me by an Inhabitant of Liverpool requesting information concerning a Legacy which he alledges has been bequeathed to him by a Relation deceased at the Cape of Good Hope; and I have to request your Lordship will be pleased to cause enquiry to be made into the State of the Case and report to me thereupon. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 30th September 1816.

MY LORD,—I have the honour to transmit to your Lordship the accompanying Extract of a Treasury Minute containing a proposed Arrangement for the Establishment of a Branch of the Store Keeper General's Department at the Cape of Good Hope; and in compliance with the Request of that Board, I have to desire that your Lordship will afford every facility in your power for carrying the proposed Arrangement into effect. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 30th September 1816.

MY LORD,—The Emperor of Austria having expressed a Desire to be supplied with the Seeds of the choicest Plants which are the Produce of the Cape of Good Hope, I have received the Commands of His Royal Highness The Prince Regent to desire that your Lordship will give Directions for collecting them and trans-

mitting them to me with as little Delay as the Circumstances will admit.

I am also to call your particular Attention to the Necessity of the Seeds being well dried and purified from Insects previously to their being packed, and to their being protected as far as possible from the Effects of Damp.

In order to prevent Confusion it will also be necessary to affix to each parcel the Name of the Plant of which it may contain the Seed. I have &c.

(Signed) BATHURST.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the creation of new to replace worn out paper money.

4th October 1816.

[Copy.]

Government Advertisement.

Notice is hereby given, that, in order to insure greater regularity and security in dispatching the Mails to and from the Interior of this Colony, His Excellency The Governor and Commander-in-Chief has been pleased to establish a Post Office at each Drostdy, and to sanction the following Appointments :

Mrs. Wrangmore, Postmistress at the Paarl.
 Mr. J. C. Winterbach, Postmaster at Tulbagh.
 Mr. W. Kleyn, ditto at Caledon.
 Mr. W. C. Kuys, ditto at Zwellendam.
 Mr. H. S. du Toit, ditto at George.
 Mr. P. F. A. Stockenstrom, ditto at Graaff-Reynet.

Cape of Good Hope, 4th October 1816.

By Command of His Excellency the Governor.

(Signed) H. ALEXANDER, Colonial Secretary.

[Original.]

Letter from the REVEREND GEORGE BURDER *to* EARL BATHURST.

MISSIONARY ROOMS, OLD JEWRY, 10 October 1816.

MY LORD,—The facilities with which his Majesty's Government have always been ready to favour the Missionary Society embolden me humbly to request that your Lordship will have the goodness to indulge them with a short letter to the Governor of the Cape of Good Hope (Lord Somerset) stating that the following persons are sent to Africa with your Lordship's permission, viz. Messrs. Taylor, Moffat, Kitchinman, Evans, and Brownlee. These persons are sent out to assist in teaching the Natives (some in Namaqualand and others in Caffraria) and in promoting Agriculture, Civilization, and good order.

Lately a commencement has been made among the Caffres, with the permission and encouragement of the Colonial Government, as the most probable means of securing the peace lately restored there, and of attaching them to the British Government.

As the persons above mentioned are to sail in a day or two in the *Alacrity*, a speedy line will exceedingly oblige the Directors of the Missionary Society, for whom I have &c.

(Signed) GEO. BURDER, Secretary.

[Original.]

Letter from the VICAR APOSTOLIC DR. POYNTER *to*
EARL BATHURST.

CASTLE STREET, HOLBORN, October 11th 1816.

MY LORD,—Availing myself of your Lordship's kind permission, I have the honour to send to your Lordship a Copy of the memorial relating to the Catholic Inhabitants of the Cape of Good Hope, which my Predecessor, the late Revd. Dr. Douglass had prepared and wished to present in the year 1806, but, on account of some particular difficulties at the time, did not present to his Majesty's then principal Secretary of State for the Colony and War Department. The motives for urging the prayer of the

Memorialist are still most strongly felt by the Catholics of the Cape, as has been reported to me from Persons who have witnessed their spiritual distress for want of Catholic clergymen. I cannot therefore but feel most grateful to your Lordship, for the kind manner in which you were pleased to interest yourself in their cause, when I mentioned it yesterday to your Lordship.

With sentiments &c.

(Signed) WILLIAM POYNTER, V.A.L.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 15th October 1816.

MY LORD,—In my dispatch No. 42 I had the honor to inform Your Lordship that I had taken steps for reducing the Colonial Corps to an Establishment of 500 men; but altho' the Cape Regiment was even for the larger Complement (800) over officered, yet I did not think that I had sufficient authority at that time to warrant my placing any of those officers on Half Pay. Your Lordship's dispatch No. 46 having now given me directions for the entire or partial reduction of the Regiment, I have availed myself of the discretion so reposed in me to reduce the number of Officers to a proportion adequate to the duties required of a Battalion of its present strength. The Enclosed Return will shew Your Lordship the number of Officers retained in the Corps. Those reduced are 2 Field Officers, 4 Captains, and 12 Subalterns.

I had formerly occasion to draw Your Lordship's attention to the circumstance of the Half Pay of Officers to be reduced from this Corps with a view of suggesting to Your Lordship the expediency of their drawing that allowance from funds in England. The Officers placed on Half Pay will now disperse and return to their respective Homes; it does not appear practicable for them to receive this allowance from Colonial funds, there being none placed in England applicable to this object, and if each officer received such pay here, either annually, half yearly, or quarterly, it would be very difficult for them or their Agents to find the means of remittance to England.

Among the Officers of the Corps now reduced are Colonel Graham and Lieutenant Colonel Cuyler, the former is at present Commandant at Simon's Town upon an allowance of 10 Shillings per diem from the Colony and a like sum from the Military Chest. Lieut. Col. Cuyler is the Landdrost of Uitenhage, and he also commands the Troops on the Frontier. I beg particularly to recommend these officers, whose Services have frequently been brought to Your Lordship's notice, to your Lordship's favourable consideration, with the view of their being allowed to draw the Half Pay of their respective Regimental Ranks, together with the Salaries they derive from the other Official Situations which they fill. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE, CAPE OF GOOD HOPE, 15th October 1816.

MY LORD,—The *Princess Charlotte* transport arrived in this Harbour yesterday. By her I have learnt with the greatest alarm and regret that it is the intention of His Majesty's Government early in the next Session to propose a renewal of the duties on Cape Wine, and thus to place the only produce of this His Majesty's Settlement upon no better footing than the produce of foreign countries.

I had occasion in my despatch No. 62 to allude to the great consumption of British manufactures in this Colony, a consumption which must increase with the population so long as the Merchants shall have the means of repaying to Great Britain the amount of what she furnishes, and I had then the honour of submitting to your Lordship the great loss the Mother Country would inevitably sustain by the system recommended, by which the Commissariat expenses should no longer be payable by bills on England, now the great resource for effecting those mercantile payments. Still, my Lord, the wine export held out a prospect of gradual improvement, and the wine merchants would have endeavoured to ameliorate its quality in order to make for it a market the produce of which should repay the British Manufac-

tures, but, my Lord, the measure proposed will totally frustrate this last hope and we shall have nothing to look forward to but ruin to individuals and defalcation in every branch of the Revenue. Hitherto it has been the pride of this Government to rest upon its own resources, and while it is known to us that the neighboring Isles both to the Eastward and Westward (although spots compared with this vast territory) are of great annual expense to the Mother Country notwithstanding their having productive exports, we have avoided calling for any aid, but this can no longer be the case with a decreased Revenue. My Lord, I must repeat it, it is by the consumption of British manufacture, that this Colony must in a great measure pay Great Britain for the protection she affords it; that consumption was in the years 1814 and 1815 of the value (as appears by the Custom house entries) of nearly 4,000,000 Rixdollars, the proportion has not diminished this year and with due protection it will increase. Is the advantage of the new system equal to the loss which must accrue from shutting up such a Market for British production? What is the advantage to be derived from the taxation at a high rate of 4645 leaguers of Cape wine which is the greatest annual export, that of last year? It is really insignificant.

Yet the doing away the market for that wine would excite a despair that would bring inevitable ruin to the Colony. The agriculturists have upon the faith of the protection held out to them taken land at a high rent from the Government and planted at vast expense to a great extent; their produce can be no longer consumed. The consequences are obvious. Nothing but the cheapness of Cape wine can induce a market for it, inferior in quality, as it is at present to almost all other wines, it can only compete with them in the market by its economy. It is however equally salubrious to most wines, and those whose constitutions require this stimulant, in Cape wine find it upon terms suited to their moderate incomes, which the price of foreign wine would put it out of their power to obtain. It is upon these grounds chiefly, which your Lordship's intimate knowledge of our Colonial concerns will readily expatiate upon, that I think it my bounden duty to enter my solemn protest against this ruinous measure, if in contemplation, and I solicit your Lordship's interference and protection for the Colonists entrusted to my care. At a vast distance from Europe, having few connections in England of

weight or long standing, the factors of this colony have it not in their power to assail the public offices in London by their representations, as those of Lisbon and Madeira have, although they imagine that it is to the petty jealousies of the latter that the evil about to be visited upon them is principally owing. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

*Letter from COUNT MUNSTER, Hanoverian Minister, to
LORD CASTLEREAGH.*

BRIGHTON, *October 15th 1816.*

MY LORD,—In consequence of the Application of Sir George Yonge, then Governor of the Cape, my antecessor here, Baron Lenthe, procured in the Year 1799 from Hanover a Pastor for the Evangelic Lutheran congregation at Cape Town, the Revd. G. Hesse, to whom His Majesty's Government in January 1800 granted a free passage to the Cape. The said Mr. Hesse at present wishing to return to his Native Country and the Consistory Court at Cape Town having applied to that of His Majesty at Hanover for a Successor, the Revd. Frederic Kauffmann has been selected for that Purpose and will arrive in this Country the beginning of January.

Having been applied to from Hanover to solicit a free Passage to the Cape for the said Mr. Kauffmann, Your Excellency will oblige me by procuring him the same advantage that has been granted to his Antecessor. I have &c.

(Signed) MUNSTER.

[Original.]

Letter from REAR ADMIRAL MALCOLM to J. W. CROKER, ESQRE.

Newcastle, SIMON'S BAY, 16th October 1816.

SIR,—I have the honor to transmit to you herewith, for the information of the Lords Commissioners of the Admiralty, a copy

of a letter, together with copies of its enclosures, which I have received from Commissioner Sir J. Brenton, Bart., submitting to me the expediency of appropriating the *Emu* hired brig to the service of the dockyard, for the very satisfactory reasons therein assigned; and to request you will inform their Lordships, that I perfectly concur with him in opinion respecting this vessel, and have in consequence given Lieutenant Forster, commanding her, an order to put himself in that vessel under the Commissioner's command, and to follow his orders for his further proceedings, or until their Lordships' pleasure is known.

And I beg to add that without this vessel I have not the means of conveying from Plettenberg's Bay during the ensuing summer the timber intended for the dockyard here, as the *Hyena* store-ship will have sufficient employment during that period in removing naval stores from Table Bay to Simon's Bay. I have &c.

(Signed) PULTNEY MALCOLM, Commander in Chief.

[Original.]

Letter from REAR ADMIRAL MALCOLM to J. W. CROKER, ESQRE.

Newcastle, SIMON'S BAY, 16th October 1816.

SIR,—In return to your letter of the 29th March last, signifying to me the direction of the Lords Commissioners of the Admiralty to take an early opportunity after my arrival on the Cape Station of considering whether the Naval Hospital at the Cape of Good Hope may not be altogether dispensed with, and whether the Military Hospital at St. Helena might not afford room to the small numbers of sick the Squadron can probably have: and stating that in that case their Lordships consider the Naval surgeon attending on General Buonaparte might superintend the naval part of the hospital, I request you will inform their Lordships, that after having bestowed all due consideration on the subject, and kept in mind that the Cape will again become the general Rendezvous of the Squadron on the death of General Buonaparte, I am of opinion for that reason, but more particularly whilst the establishment of the Dockyard is kept up, that it would not be advisable to do away with the hospital establishment;

some reduction may be made in it; and I enclose for their Lordships' information a statement of the present expences of the Establishment, with my observations on that point.

Whilst there are few patients in the hospital, the agent might perhaps be dispensed with; but in that case the surgeon would require a clerk, whose salary added to the half-pay of the agent must be deducted from the saving that would arise from the reduction of that office.

Mr. Chenoweth the agent has been long in the Service and bears an excellent character.

With regard to the Military Hospital at St. Helena affording room to the sick of the Squadron, and to the surgeon attending on General Buonaparte superintending the naval part of it, I have to observe that it is too small to accommodate the military now on the Island, and that the attendance of Doctor O'Meara is constantly required at Longwood.

Sir George Cockburn will have explained to their Lordships the nature of the temporary hospital he established at St. Helena, in Lemon Valley, which answers extremely well, and will prove quite a trifling expence.

Mr. Watts, assistant surgeon of the *Newcastle*, had the charge of it, under the superintendence of the surgeon of the Flag Ship, or in her absence of the senior officer's ship; and as he is thereby put to some extra expence, I recommend their Lordships to allow him three shillings per day in addition to his pay. I have &c.

(Signed) PULT. MALCOLM, Commander in Chief.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 17th October 1816.

MY LORD,—I do myself the honour to transmit to Your Lordship a Memorial which has been presented to me by Doctor Poynter, Titular Roman Catholic Bishop of London, and I am to desire you would take the same into Consideration and report to me upon the

Subject, in order that a Communication may be made to Dr. Poynter, who has been informed that unless you state that there is already a Roman Catholic Priest officiating at the Cape, and that consequently there would be no necessity for sending one out, that there will be no objection in acceding to that part of the Memorial which relates to the Inhabitants of the Colony.

I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 19th October 1816.

MY LORD,—I have the honor herewith to transmit to your Lordship the case of a Culprit Hottentot named Kiewiet whose Sentence of death I have felt it my duty to suspend and who I beg humbly to recommend to the Royal Clemency.

Your Lordship will perceive that there is no Evidence whatever to the fact except the Culprit's own Confession. By the equitable and admired Law of England a man is not required or indeed scarcely permitted to criminate himself, and if in the present case that part of the Confession which tends to criminate is received and admitted, so in like manner must the other part be credited which states the excessive Provocation given, and under that view I conceive that the Crime would not amount to more than Man-slaughter.

In perpetrating the deed certainly the greatest cruelty is manifest, but that (when the previous forbearance of the Prisoner be considered) tends rather to prove that it was not until he had lost all command over himself by the manner in which the deceased had provoked and irritated him, that he lifted his hand against him. It is but just also to take into consideration that the poor ignorant Hottentot has not the advantage of the influence of Religion or of Education to deter him from committing any Excess when his temper shall have been so greatly roused and irritated.

Under these circumstances I trust Your Lordship will see grounds for recommending this case to the gracious clemency of His Royal Highness the Prince Regent.

I have availed myself of the assistance of my legal assessor in criminal Cases of Appeal on the present occasion, whose opinion entirely coincides with mine. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from HENRY GOULBURN, ESQRE., to
LORD CHARLES SOMERSET.

COLONIAL OFFICE, 22nd October 1816.

MY LORD,—I have received the Directions of Earl Bathurst to acquaint Your Lordship that upon the Application of the Secretary of the Missionary Society, permission has been granted to the Individuals whose Names are stated in the Margin, Messrs. Taylor, to proceed to the Cape of Good Hope, for the Moffat, purpose of instructing the Natives in Namaqualand Kitchinman, and Caffraria, and in promoting Agriculture and Evans, Civilization. It is further stated in the Letter and Brownlee. above alluded to, that a Communication has been opened with the Caffres by the Missionaries, with the permission and encouragement of the Colonial Government, as the most probable means of securing the Peace lately made with these People, and of attaching them to the British Government.

I have &c.

(Signed) HENRY GOULBURN.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GOVERNMENT HOUSE,
CAPE OF GOOD HOPE, 24th October 1816.

MY LORD,—I duly received your Lordship's dispatch No. 35 replying to my No. 30, and have already had the honor to acquaint your Lordship therewith. I should in consequence have proceeded to take immediate possession of the Island of Tristan Da Cunha, but the winter intervening and it not appearing from your Lordship's instructions that the importance of this occupation was felt in the manner the subject had struck me, I did not hesitate to postpone the measure until a more favorable season. In the mean time I find by communications from Lieut. General Sir Hudson Lowe, and Rear Admiral Sir P. Malcolm, that in consequence of a subsequent consideration of the case, and of the new light which has been thrown upon this position by the important trust confided to the authorities at St. Helena, orders have arrived there for taking immediate possession of these Islands, and that a detachment of seamen from His Majesty's Ship *Falmouth* actually is in the temporary occupation of them.

Sir Hudson Lowe has however called upon me to furnish a competent Garrison and to take measures for holding the Islands in perpetuity for His Majesty, and I have therefore caused a small detachment from this garrison to proceed forthwith to relieve the seamen of the *Falmouth* and to make the necessary preparations for a further reinforcement. I learn from Capt. Festing that it is his opinion that the post may be defended with the greatest facility against any attempt which might be made to surprize it; but I have directed an Officer of Artillery, in whose judgment I can rely, to proceed with the first detachment to report minutely on this subject, and to take such immediate steps as may be in his power to guard against so unexpected an occurrence. I have selected this officer, who is reported to me to have a competent knowledge of Engineering, in order to save the expense of an additional officer, which would have taken place had I sent one from the regular Engineer service.

I enclose for your Lordship's information and approval a copy of the instructions which I have given to the officer in command,

together with a return of the detachment sent thither. I have directed the Acting Commissary Genl. to keep a separate account of all charges which this measure shall cause, in order to bring the amount at one view to your Lordship's notice when it shall have been completed. In the mean while I beg to assure your Lordship that in this, as well as in every other measure, a principal object with me is to conform to your Lordship's directions with regard to economy. I learn also from the commander of the *Falmouth* that the valley at the principal Island is very fertile. I have therefore retained thirteen horses and an adequate number of drivers from the driver corps lately reduced in order to give the party the means of supplying itself as soon as possible, which I am sanguine in thinking they will soon be able to effect, besides which I furnished the party with sheep and black cattle for breed.

When your Lordship considers the great privations the persons sent to this remote and uninhabited spot will have to undergo, and the expense to which they will be subjected in procuring for themselves anything beyond the mere rations which will be found them by the Commissariat, your Lordship will probably think that I have been too parsimonious in directing a Colonial allowance of only 20 shillings a day to be made to the commandant and of 5/ to each of the subalterns employed in this service. Your Lordship is aware that these officers will be for a long time put to the expense of Camp equipage and to all the details of field expenses without any allowance of Bat and Forage money, the issue of which has now ceased. I beg further to state to Your Lordship that I have selected for this desolate tho' confidential command, Captain Cloete of the 21st Light Dragoons, a young officer of considerable talent and acquirements, and in every respect trustworthy. He speaks the French, German, Dutch, and Portuguese languages, and is therefore particularly calculated for residence in a place where it is apprehended that foreigners of different denominations may occasionally touch. I am sure your Lordship will afford me your support in recommending Captain Cloete for the Brevet rank of Major in the Army.

I am sanguine in hoping that this recommendation may meet your Lordship's approval, not only because I feel great interest in Capt. Cloete, who has been my aid de camp for upwards of three years, but because I really think that the service he is called upon to perform merits the reward, besides which I understand that a

similar step has been given to the Naval officers stationed at the Island of Ascension under like circumstances. I have a further reason for being anxious that Capt. Cloete should be thus rewarded, he is a native of this Colony. It has unfortunately happened that no military promotion has been given to any colonist, and upon the formation of the Cape Regiment not even a Company was reserved for any of the inhabitants of this place, contrary I believe to the usual practice in such cases, and I believe granting this step to a Colonist now would have an important and useful effect.

I enclose herewith a copy of a Proclamation issued by a Mr. Lambert who settled at these Islands in 1811, from which your Lordship will perceive that he did not take possession of the place on behalf of the nation to which he belonged, neither did he hoist the American flag, but wished to make himself entirely independent, and to be considered so. Mr. Lambert, however, is no longer there. He is supposed to have perished about two years since with one of his companions while fishing. The only inhabitant of the place now is a man of the name of Currie, a native of Leghorn, whose father was an Irishman and who went to Tristan Da Cunha in the Service of the abovementioned Lambert; it appears from Captain Festing's Account that Currie is very well disposed towards the party that is in possession and appears satisfied and pleased in the prospect of the Island becoming a British possession.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

P.S.—Captain Carmichael of the 72nd Regiment having tendered his gratuitous Services for making a Botanical Survey of the Islands about to be occupied, I have gladly availed myself of this Officer's well known talents in this line, in the hope that some interesting novelty may result therefrom. As Captain Carmichael is about to be placed on half pay, and would but for this detention have returned to Europe in the first Ship, his Services have been considered conveniently applicable to this object, as soon as he should have been relieved by a Senior Captain of the Regiment to which he belongs.

[Enclosure 1 in the above.]

Return of the Force intended for Embarkation from the Cape of Good Hope on the 1st of November 1816 in His Majesty's Ship Falmouth for Tristan d'Acunha.

	Captain.	Subaltern.	Medical Staff.	Sergeants.	Rank and File.	Horses.
21st Light Dragoons	1	..	..	..	8	..
Royal Artillery . . . . .	..	1	..	1	12	..
Drivers . . . . .	..	..	..	..	7	13
60th Regiment . . . . .	..	..	..	1	5	..
72nd Regiment	1	1	..	1	3	..
Medical . . . . .	..	..	1	..	..	..
Total	2	2	1	3	35	13

Officers' Names.

21st Dragoons, Captain Cloete, Commandant.

Royal Artillery, Lieut. Aitchison, Actg. Engineer.

72nd Regiment, Lieut. Atkinson.

Medical Hospital Assistant Evers.

(Signed) CHARLES HENRY SOMERSET,
Genl. Commanding the Forces at the
Cape of Good Hope.

Captain Dugald Carmichael of the 72nd Regiment accompanies this detachment for the purpose of making a Botanical Survey of the Islands, his Talents in this line rendering him eminently qualified for the undertaking.

The Rank and file of the 21st Light Dragoons and of the 60th and 72nd Regiments are Artificers and Servants.

[Enclosure 2 in the above.]

Instructions for the Officer appointed to command the Detachment of His Majesty's Troops destined to occupy the Island of Tristan da Cunha.

By His Excellency The Right Honorable Lord Charles Henry Somerset, Governor and Commander of the Forces at the Cape of Good Hope and its dependencieis, &c., &c., &c.

1st. You will as soon as His Majesty's Ship *Falmouth* is ready for Sea (which Ship has been appointed by His Excellency Rear Admiral Sir Pulteney Malcolm for the Service upon which you are about to be employed) apply to Captain Festing to appoint a time for the embarkation of a Detachment (the Return of which accompanies these Instructions) destined to relieve Lieut. Rice and part of the Crew of His Majesty's Ship *Falmouth* now in possession of the Island of Tristan d'Acunha.

2nd. As soon as Captain Festing shall have stated himself to be ready to receive you, you will cause the Stores intended for this Service to be put on board; taking an accurate account of the whole and seeing that every Package is properly marked and numbered, so that no confusion shall ensue after debarkation in selecting and assorting the various Stores entrusted to your charge.

3rd. You will cause an Invoice in triplicate to be prepared of the Stores embarked, one of which you will deposit in the Colonial Secretary's Office in this Settlement, one you will give in charge of the Officer next in command to yourself, and the third you will retain for your own use; You being held responsible for the due employment and issue of the Stores of every description.

4th. After the Stores shall have been embarked you will report the circumstance for my information, and hold Yourself in immediate readiness to proceed as soon as you shall receive orders to that effect.

5th. Upon the arrival of the *Falmouth* at the Island of Tristan d'Acunha you will prepare to land the detachment and Stores as soon as it may suit the officer commanding the *Falmouth* to send them on shore, and with respect to the latter you will use the greatest exertion to prevent their receiving damage or being open to waste or plunder.

6th. Having relieved the officer now in possession of the Island, you will consider it your first and principal duty to hold and maintain possession of the Islands for His Majesty as dependencies of this Government until further orders, resisting by all means in your power and to the very last extremity any and every attempt which may be made by Persons of any Nation whatsoever to dispossess you of it or to gain footing thereon or in any manner to infringe upon your jurisdiction over the whole of the Islands and the Anchorages belonging thereto.

7th. You will at all times be prepared for defence and take care that the most vigilant look out be kept on the movement of all strange sails which may approach the Island, remaining on the alert until you ascertain what they are or that they disappear.

8th. Upon Foreign Men of War anchoring at Tristan d'Acunha, you are to shew them every respect and attention, and afford them every assistance in your power, but you will be constantly on your guard whilst they continue there or in your neighbourhood, and you will not permit more people to be on shore from them at one time than you may deem consistent with the security of the Island and its means of defence and actual state at the moment; and you are to be doubly cautious with respect to such as might wish to remain on shore during the night. You will on no account permit such Foreigners at all to infringe or interfere with the Regulations which may be established by you for the safety thereof, pursuing the same line of Conduct towards the Crews of all Merchant Vessels who may touch there.

9th. As soon as you shall have secured the Stores and placed your men under Canvas, your first attention must be paid to the protection of the landing places and anchorages, for this purpose you will call upon the Acting Engineer to trace and put up such defences as the means entrusted to you shall admit of, and You will by the earliest opportunity report to me on this head, describing where landing can be effected and under what circumstances, and transmitting the opinion of the Acting Engineer with respect to the means of defence which he may deem requisite for the complete protection of this possession against Insult.

10th. As soon as you shall have taken all the means in your power for the Security of the Island, You will proceed to erect Barracks for the accommodation of the Stores, men, and Officers, and in selecting the situation of these quarters you will observe

to have them erected so as not to be liable to insults from the Seaside, transmitting to me a description and plan thereof as soon as possible.

11th. You will as soon as you conveniently can after landing cause the articles of War to be read, and make known to all the followers of the Detachment that they are amenable to Martial Law, until further order, and that any breach of orders or Regulations by you issued will be punishable by Court Martial. You are however not to consider yourself at Liberty to cause any Corporal punishment to be inflicted, but the refractory are to be punished by extra work, solitary confinement, and other punishments of a light nature suited to trivial offences. In very grave cases the Offenders must be sent Prisoners to this Place when opportunities offer.

12th. You will cause an accurate account to be kept of the weather, for which purpose the Assistant Surgeon appears the properest Person. He should note daily the highest and lowest range of the Barometer, take note of the winds, of the quantity of Rain which falls, and such other circumstances as may come under his observation. Copies of this Meteorological diary you will be pleased to transmit to me together with your own journal alluded to in the next article whenever an opportunity presents itself.

13th. You will take particular care to keep a daily record of every transaction, noting down the work performed and the employment of the People; very minutely describing any vessels which may arrive and depart or such as may be only seen passing, likewise noticing any discoveries made on the Island, Botanical, mineralogical, or other; describing as accurately as possible any Birds, Beasts, or Fish which may have been caught or Seen.

14th. You will as soon as practicable get Your garden and field Seeds into the ground, and take the greatest care of your breeding Stock, it being a point to which your attention is particularly called, to endeavour to raise sufficient corn and vegetables for the detachment, so as not to depend upon this Colony for Supplies, and also to have it in your power to supply Vessels touching, with vegetable Refreshments.

15th. You will cause divine Service to be read to the Detachment every Sunday and require the attendance of every Person attached thereto, unless some valid excuse be offered as a reason

of absence, and you will carefully note down in the journal your due observance of this direction.

16th. You will not consider yourself authorised to permit any person to occupy land under an impression of their obtaining the grant thereof, but you will on no account interfere with the land cultivated or held by Thomas Currie, which must be considered to be his property.

17th. All Rules and Regulations which you may deem it expedient to issue are to be temporarily enforced, but are not to be considered permanent unless approved from hence by me.

18th. Although it is to this Government you are to look for your authority on every occasion, yet you will give every facility to furthering any views which either the Admiral on the St. Helena Station or the Governor of that Island may communicate to you, and you are hereby authorised to obey any instructions they may deem it necessary to convey to you, giving me as early notice thereof as possible.

19th. You are to cause a like ration of Provision to be issued to the Troops under your command as is issued to them in this Garrison, viz. 1lb. Bread, 1lb. meat, $1\frac{1}{2}$ lb. of Candles, $3\frac{1}{2}$ lbs. wood per diem, 5 ounces Coffee and 6 ounces Sugar per week, and you may allow each man a Ration of wine or Spirits, until the public works upon which they are to be employed are completed, after which you will use your discretion in making such issue when it shall appear to you to be necessary.

20th. You will take particular care that the Accounts of the Detachment are made up and kept with all the precision prescribed by His Majesty's Regulations on this head. You will muster the men on the 24th of every month and strictly conform to the Rules of the Military Service on those points.

21st. A Colonial allowance of Twenty Shillings sterling per diem will be made to you as Commanding officer at Tristan d'Acunha, to commence on the day of your landing at that place, and five Shillings Sterling is to be drawn by each Subaltern Officer under your command, and the same to the Hospital Assistant. Regular abstracts of these allowances are to be made out quarterly according to the form to be furnished to you herewith; but you will be allowed to draw the amount from the sum placed under your charge from the Military Branch.

22nd. The Detachment under your command will be subsisted

by the respective paymasters up to the 24th of December next inclusive, but from that date they are to draw pay from the Money entrusted to your care at the usual rates, and you will be particularly attentive in seeing that the details under this head shall be strictly conducted according to the established Regulations.

23rd. In closing these instructions you are most particularly cautioned to incur no expence whatever unless duly authorised so to do, and in every authorised expenditure whether of money or stores, the most vigilant œconomy is rigidly to be enforced.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 3 in the above.]

Extract from the Boston Gazette dated 18th July 1811.

Know all Men by these presents that, I, Jonathan Lambert, late of Salem, in the State of Massachusetts, United States of America, Mariner, and Citizen thereof, have this 4th day of February in the Year of our Lord Eighteen hundred and eleven, taken absolute possession of the Islands of Trestan Da Cunha, so called, viz. the great Island and the other two known by the names of Inaccessible and Nightingale Islands, solely for myself and my heirs for ever, with the right of conveying the whole, or any part thereof, to one or more persons, by deed of sale, free gift, or otherwise, as I or they (my heirs) may hereinafter think fit or proper.

And as no European, or other person whatever, has hitherto publicly claimed the said Islands by right of discovery, or act of possession, therefore be it known to all Nations, Tongues, and Languages, that from and ever after the date of this public Instrument I constitute my individual self the sole proprietor of the above mentioned Islands, grounding my right and claim on the rational and sure principles of absolute occupancy, and as such holding and possessing all the rights, titles, and immunities properly belonging to proprietors by the usage of nations.

In consequence of this right and title by me thus assumed and established, I do further declare that the said Islands shall for the future be denominated the Islands of Refreshment, the great Island bearing that name in particular, and the landing place on the north side, a little to the East of the Cascade, to be called Reception, and which shall be the place of my residence. The

Isle formerly called Inaccessible shall henceforth be called Pintard Island, and that known by the name of Nightingale Isle shall now be called Lavel Island.

And I do further declare that the cause of the said act set forth in this Instrument originated in the desire and determination of preparing for myself and family a Home where I can enjoy life without the embarrassments which have hitherto constantly attended me, and procure for us an interest and property by means of which a competence may be ever secured, and remain, if possible, far removed beyond the reach of chicanery and ordinary misfortune.

For the above purpose, I intend paying the strictest attention to Husbandry, presuming when it is known in the world that refreshments may be obtained at my residence, all Vessels, of whatever description, and belonging to whatever nation, will visit me for that purpose, and by a fair and open traffic supply themselves with those articles of which they may be in need. And I do hereby invite all those who may want refreshments to call at Reception, where, by laying by opposite the Cascade, they will be immediately visited by a Boat from the shore, and speedily supplied with such things as the Islands may produce, at a reasonable price.

And be it further known that by virtue of the aforesaid right and authority, above mentioned, I have adopted a Flag, which shall for ever be the known and acknowledged Standard Flag of these Islands. And that a white Flag shall be the known, and considered as the common Flag for any vessel or vessels in the Merchant service, which may now, or hereafter, belong to any Inhabitants of these Islands.

And lastly be it known I hold myself and my people in the course of our traffic and intercourse with any other people, to be bound by the principles of hospitality and good fellowship and the laws of nations (if any there are) as established by the best Writers on that subject, and by no other Laws whatever, until time may produce particular Contracts or other Engagements.

(Signed) J. LAMBERT.

Witness to this Signature.

(Signed) ANDREW MILLET.

This Flag is formed of five diamonds transversely from Corner to Corner, and four half Diamonds placed on the centre of the top, bottom, and both sides. The two upper and two lower Diamonds are blue next the Staff or Hallyard and red on the outermost side, the centre white: the four half Diamonds bear the Letter W.

(The flag itself is in the Public Record Office, London.—G. M. T.)

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 25th October 1816.

MY LORD,—The Dispatches which I have received from Sir Hudson Lowe lead me to believe that he may shortly be compelled to remove from St. Helena General Bertrand whose Conduct has for some time past been in the highest degree insubordinate and improper. In such a Case General Bertrand will in the first Instance be sent to the Cape, and it will be for your Lordship to carry into effect, with respect to him, the Instructions conveyed to you in my Dispatch No. 46 9th of February 1816 relative to General Bonaparte's Adherents. You will intimate to him on his Arrival that if he shall during his temporary Residence at the Cape, persevere in the Line of Conduct which has led to his Removal from St. Helena, it will be out of your power to lend him that Assistance which you are otherwise authorized to afford him; and your Lordship will regulate your Conduct towards him accordingly, assigning to him a Residence at some Distance from Cape Town, where he will have the fewest Opportunities of communicating with the Inhabitants of the Colony. I have &c.

(Signed) BATHURST.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the destruction of worn out paper money.

1st November 1816.

[Copy.]

Letter from DEPUTY SECRETARY BIRD *to the*
PRESIDENT AND MEMBERS OF THE LOMBARD BANK.

COLONIAL OFFICE, 8th November 1816.

GENTLEMEN,—I am directed by his Excellency the Governor to communicate to you, that the Lords Commissioners of His Majesty's Treasury have been pleased to direct that the sum of *Rds.* 500,000, which had been added to the paper currency of this settlement for the purpose of carrying on certain improvements within the same, the last proportion of which was issued by his Excellency Sir John Cradock, as appears by his Excellency's proclamation of the 4th March 1814, shall not (as it returns to the treasury, by repayment from the drostdies or departments to which it was lent) be re-issued for similar purposes, nor be carried to account of revenue; but that on the contrary, it shall from time to time be collected and destroyed. It being his Excellency's wish therefore to carry this instruction into execution with the greatest regularity, it has appeared to him to be expedient in the first instance to withdraw from the revenue account in the hands of His Majesty's receiver-general, all those items which have up to this period been received in that department, and to place the same as a provisional deposit in the Loan Bank, in order from time to time to carry the measure into final effect. For this purpose I am directed by his Excellency to transmit to you herewith a detailed statement of the expenditure of the aforesaid sum of *Rds.* 500,000, with a statement of such proportions as have been hitherto received on account of repayment; and I am to desire that you may be pleased to open an account in the books of your office under the head of the *Rds.* 500,000 Fund, debiting yourselves with that amount and taking credit for the advances made to the respective departments and drostdies. You will be pleased as soon as possible to make out an account of the claim which this arrangement will give you upon His Majesty's receiver-general, in order that the same may thereafter be examined by the auditor of accounts, and a warrant issued for the amount payable to your administration. You will also be particular in reporting from time to time to his Excellency the amount received by you on account of repayment, to enable his Excellency to take the

necessary steps for its annihilation in the forms usual within the colony.

With respect to the amount of interest which is due or shall become due on account of the advances made as before said, I am to desire that you may be pleased to call in the same from the departments or drostdies from which the same may be due, and carry the amount to the account of profit payable by you, with the other proceeds of your administration, to the account of the colonial revenue. I have &c.

(Signed) C. BIRD.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 12th November 1816.

MY LORD,—I herewith transmit to your Lordship a Packet from the Treasurer of the Navy, and have to request that your Lordship would direct the proper Measures to be taken for the Monition to be served on the Judges and the Officers of the Vice Admiralty Court within your Government, as well as the other Parties specified, as this Proceeding is of great importance to the Officers and Men of his Majesty's Navy. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 27th November 1816.

MY LORD,—I have received and laid before the Prince Regent your Lordship's Dispatches to No. 63 inclusive. I have thought it my Duty to submit to His Royal Highness's more particular Consideration that in which you transmit the Case of Mr. Villet a Foreigner who having resided in the Colony since the year 1797 is desirous of acquiring landed property in the Settlement. As the Decision of Mr. Villet's Application involves the general question of the Admission of Foreigners to the Rights of Burghers and to

the Possession of Lands in the Colony, His Royal Highness has considered it advisable to transmit to you a general Instruction for your Guidance in such Cases, and to leave to your own Discretion the Application of this Instruction to the Individual Case of Mr. Villet.

I am commanded to signify to you His Royal Highness's Pleasure that no Individual Foreigner who has not resided uninterruptedly for 5 years at least at the Cape, shall henceforth be admitted to enjoy the Rights of a Burgher or to hold landed Property without the special Authority of His Royal Highness to that effect previously signified to the Government. But with respect to those whose period of continued residence has exceeded Five Years, His Royal Highness is pleased to authorize their provisional Admission to those Rights by the Governor, if in his discretion They appear entitled to it, subject however to His Royal Highness's subsequent Confirmation. It appears further proper that in every Case in which a Foreigner is admitted to Burgher Rights he should be required to pay for the Privilege so conferred upon him a certain Fine either in the Shape of a Stamp duty on the Instrument of Admission or otherwise, of such an Amount as you may consider it under all the Circumstances proper to impose.

As Mr. Villet's Period of Residence has far exceeded that prescribed in the foregoing Instruction, it will rest with you to decide upon his fitness to become a Burgher and His Royal Highness will willingly confirm that Decision which you may make.

The Case of Mr. van Hogendorff being one of a special Nature, His Royal Highness has been pleased to sanction his Possession of certain Lands in the Colony. His Royal Highness entirely approves of the Grounds upon which You declined extending the Grant which you were authorized to make to Mr. van Hogendorff beyond the Land at Hout Bay.

The Letter addressed by me to Mr. van Hogendorff, of which an Extract accompanies your dispatch had sufficiently apprized him that the Grant to be made to him at the Cape must necessarily depend both upon the Land in question remaining ungranted at the present Time, and further upon its not being required for any public purpose. As the Tracts which his Agent has been instructed to claim both at Auteniqua and at Plattenburgh's Bay come under both these Restrictions, some having been granted to

other Individuals, and others being required for the new Settlement established by Lord Caledon, or for the growth of Naval Timber, I have only to regret that these Circumstances put it out of my power to authorize their Occupation by Mr. Van Hogendorff. You will however lose no time in completing the Grant to him of the Land at Hout Bay; on the Terms the most favorable to him which can be made consistent with the Interests of the Colony, and the existing Regulations; and I am happy to learn that it is from its fertility and other Advantages likely to realize Mr. Van Hogendorff's Expectations. I have &c.

(Signed) BATHURST.

[Original.]

Letter from JOHN BARROW, ESQRE., to HENRY GOULBURN, ESQRE.

ADMIRALTY OFFICE, 2 December 1816.

SIR,—I am commanded by my Lords Commissioners of the Admiralty to acquaint you for the information of Earl Bathurst that by a Letter from Captain Festing of His Majesty's ship *Falmouth*, to Rear Admiral Sir Pultney Malcolm, dated the 11th of September, it appears that on the 14th of August the Island of Tristan d'Acunha was taken possession of in the name of His Majesty, and the union Flag hoisted by a party of seamen and marines belonging to the said ship; and that the officer commanding the detachment was directed to consider himself as also charged with two small Islands contiguous to Tristan d' Acunha, called Nightingale and Inaccessible. I am &c.

(Signed) JNO. BARROW.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 3rd December 1816.

MY LORD! — I have availed myself of the return of His Majesty's Ship *Orontes* to embark on board of her Captain Pointkowskie and three of General Bonaparte's domestics who were sent to this place

from St. Helena by Lieut. General Sir Hudson Lowe in the *David* transport, in charge of Lieut. Crood of the 66th Regiment and one Sergeant and four Privates of the same corps.

It appears from Sir H. Lowe's communication to me on the subject of this Pole "that General Bonaparte has said he was simply a Soldier in his guard at Elba, that he made no effort to retain him at St. Helena, and that Sir H. Lowe believes his name of Captain to be an assumed one." It is evident that Sir Hudson Lowe thought him a dangerous man at St. Helena and took the strong precaution of placing him under the charge of a guard during his passage to this place. Whatever his views therefore may have been, it became necessary to counteract them as far as they might be executable from hence, and here an active agent might find among a number of persons of all nations many very ready (for the prospect of gain) to enter into the most desperate schemes.

Under these circumstances, and bearing also in mind Sir H. Bunbury's private communications to the Government of St. Helena, I deemed it advisable to put Capt. Pointkowskie under certain moderate restrictions to prevent foreigners from having access to him, and availing myself of the permission given me in your Lordship's dispatch of the 4th July last. I have been glad to embrace the opportunity of Captain Cochrane's sailing to send him and the other followers of General Bonaparte from this place, where the presence of such persons must be always inconvenient and might become dangerous.

I have also, in compliance with the Instructions which I received from your Lordship of the 4th of July last, acquainted Mr. Pointkowskie that permission to reside or even to land in Great Britain must depend upon circumstances to be determined at the date of his arrival there; and I have requested Captain Cochrane to forward this dispatch to your Lordship and await your Lordship's orders before he permits Captain Pointkowskie or any other of the three domestics of the General to quit the *Orontes*.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Letter from DEPUTY SECRETARY BIRD to J. F. REITZ, ESQRE.

COLONIAL OFFICE, 6th December 1816.

SIR,—Mr. Fagel, late vendue master in this Settlement, having resigned that office in the year 1814 upon his return to Holland, His Excellency the Governor has received instructions from home to do away the situation of vendue master and to make such arrangements (subject to the approbation of His Majesty) for the future conduct of the vendue master's duties as shall appear to him to be most advantageous to the public and to secure to the revenue the profits formerly enjoyed by the vendue master.

With this view His Excellency has desired me to communicate to you, that reposing that confidence in the rectitude of your conduct which the regularity with which the Vendue Office has been conducted under your superintendence for some years and the marked opinion of the public in regard to the advantages derived from its punctuality, is calculated to inspire, it is His Excellency's intention that the duty of the Vendue Office shall continue under your management as commissary of vendues, giving you such adequate salary as shall secure to you similar emolument to that which you derived as deputy to the late vendue master.

I shall have the honor to annex to this letter a list of the number of persons which His Excellency upon the best consideration will authorise you to employ, with the amount of salary he has fixed to each of them, and I am to acquaint you that all the salaries of the office are to be drawn for quarterly in the mode usual in the colony, and subject to such regulations and audit as have been established for the regularity and precision of the colonial accounts.

In making up henceforward the monthly amount of percentage due to government from the sales of moveable or immoveable property, you are therefore to debit yourself not only with what has been heretofore payable to the Colonial Treasury, but also with that proportion which has hitherto been considered the profit and property of the vendue master, and all the books and accounts of the Vendue Office must be regularly submitted to the examina-

tion and inspection of the auditor of public accounts, at such periods as, in conformity to his instructions, he shall call for them for that purpose.

The rules and regulations at present in force with respect to vendues and the conduct of the subordinate officers upon the establishment are to be strictly adhered to.

His Excellency the Governor will consider you to be responsible to the public not only for the proceeds of all sales, with the amount of stamps and fees due thereon, but for all losses which may accrue from mismanagement or otherwise, and to this effect he will expect from you security to the same amount, with sufficient and well known sureties, as was entered into by former vendue masters, leaving it to you to take from the assistant auctioneers and others such security as you shall deem necessary for your own safety.

His Excellency concurring in opinion with what experience has taught you, that it is more expedient that the auctioneers should continue to be paid by a percentage on the sales, which gives them an interest in the price obtained for the effects sold by them, than by fixed salary, consents to their receiving (as at present) $\frac{5}{12}$ per cent from the amount of $1\frac{1}{2}$ per cent on sales of moveables and $\frac{3}{4}$ per cent on sales of immoveables antecedent hereto allowed to the vendue master, which arrangement, however, will be allowed only as long as that old servant of the establishment I. Singneur continues upon it, after which such new arrangement will be made on this head as circumstances shall require.

The actual amount of stationery used in the Vendue office will be allowed in a contingent account, but no allowance for an office can be admitted.

It will be necessary that the amount of profit received by you on account of the Vendue master for the year 1815, which in consequence of the resignation of Mr. Fagel in 1814 becomes due to this Treasury, should now be ascertained, in order that the same may be brought to the public account, and in like manner the amount due for the present year 1816 must be ascertained as soon as usual and practicable in the ensuing year.

As it appears to be absolutely necessary, in order to carry on the Vendue concerns with that punctuality which has caused it to become so prominent a branch of the Public Revenue of this Colony, that a large sum should remain in the hands of the com-

missary of vendues, to meet those calls which the usual credit given would not allow him to do, were he not possessed of adequate means applicable thereto, His Excellency the Governor will consent to replace the capital gradually which Mr. Fagel, the late Vendue master, appropriated to that object and for this purpose His Excellency will permit you to hold in the first instance the balances due as aforesaid for the years 1815 and 16, provided you give additional security with sureties for the due repayment of these sums with an interest of $\frac{1}{2}$ per cent per month, and His Excellency will appropriate a further proportion of the coming-in profits of the vendue office to supply the place of such capital as you shall in your capacity of agent to Mr. Fagel find opportunity of remitting to him, until the amount so deposited with you shall come to 50,000 rix-dollars, which sum as before said must be sufficiently secured by you and pay to the revenue an interest of 6 per cent per annum. I have &c.

(Signed) C. BIRD.

[Copy.]

Letter from COMMANDANT A. J. CLOETE *to*
LORD CHARLES SOMERSET.

SOMERSET CAMP, TRISTAN D'ACUNHA, *December 7th 1816.*

MY LORD,—I have the honor to report to Your Excellency that the Detachment under my Command landed here the 28th ultimo; not a moment was lost in disembarking the Stores and Provisions. The weather being at all times very uncertain off this Coast, I was under the necessity of employing the men the whole of Sunday last, getting the provisions &c. on shore.

I am sorry to state that, owing to the continued boisterous weather we experienced in our passage, together with the wet state of the ship, all the oxen and greatest part of the pigs and poultry embarked for this island have perished. I cannot enough lament the loss of the bullocks, as with their assistance sufficient land might have been cultivated this season to have supplied the detachment with all their wants. Great part of the grain for seed

has also been destroyed, and I am afraid I shall find the stores much damaged, several boats having swamped in landing them.

I have made a demand upon Captain Festing, commanding His Majesty's Ship *Falmouth*, for a boat's crew, which he has most readily complied with; to have trusted boats in these seas to men incapable of managing them would have been attended with such great risk as could not have justified my ever sending a boat to sea. I trust your Lordship will thus see the necessity of my having made this demand.

Every requisite arrangement regarding Mr. Currey's land has been made; by an account given in by himself he has had in cultivation at different times 28,528 square yards, about 5 acres and a half; but as part of his garden ground was required, in order to erect Fort Malcolm, I have measured out to him 7 acres, with which he is perfectly contented.

Upon my arrival here, I found that Mr. Currey had discharged Bastiano Ponza, the boy who had been in his service for some time; I have induced him to remain on the island, promising him his rations and leave to cultivate a piece of ground; as this boy seems very intelligent and is perfectly acquainted with every part of the island, I have thought it a most desirable thing to engage him upon these terms into the service of the Government.

The regular supply of this island till it is capable to support itself must be very uncertain. I have thus not hesitated a moment in receiving from His Majesty's Ship *Falmouth* every article of provision, refreshment, and clothes, which she has been able to spare us; I have given receipts for the whole, copies of which accompany this. When your Lordship considers that the men will have to live for a considerable time on salt provisions, without even vegetables, the island furnishing nothing of the kind at present, I trust you will approve of my having obtained those comforts for them, without which they must have suffered greatly, and their health so much injured as would have rendered them entirely useless. I feel the more anxious about the men, as they have been most indefatigable in their exertions in landing the stores; every article is forced to be got up a perpendicular cliff of about 100 feet high, which makes their work most laborious, independent of which we have scarcely been a day without rain.

I should feel glad to have your Lordship's directions regarding

the pay of the boat's crew made known to me. I have informed them that I should recommend the coxwain (who was a quarter master on board of H.M.S. *Falmouth*) being paid as a serjeant, and the other 5 as privates; should your Excellency approve of this arrangement, they might be put upon the establishment with the 6 Hottentots at present attached to the island. It has been quite impossible to fix upon a situation for the barracks which would place them entirely out of the reach of an enemy's fire. An enemy however would be forced to destroy Fort Malcolm before they could materially injure the town. Four six-pounders complete, instead of the two your Lordship was pleased to order for the defence of this place, would greatly contribute to the safety of the island. I have directed Lieutenant Aitcheson to make a requisition to that effect to the officer commanding the Royal Artillery at the Cape. The only place on the island, independent of Falmouth Bay, where a landing might be effected is a bay (which I have called Exmouth Bay) situated at the S.S.W. extremity; when the reinforcement arrives I shall feel it necessary to establish a military post in that bay; the island in every other respect is quite impregnable.

There is sufficient pasture for any number of cattle, horses I should conceive not so well calculated for agricultural purposes as oxen. Six horses however will be necessary to facilitate the movement of the light guns. The soil capable of the most valuable productions seems entirely composed of decayed vegetation, thus of a very spongy nature.

I trust I shall be able to forward to your Excellency plans of such parts of the island as are accessible by the next opportunity; the constant rains have as yet prevented any of the ground being surveyed.

I have enclosed a correct return of every individual at present victualled upon the island. I have &c.

(Signed) A. J. CLOETE, Commandant.

[Enclosure.]

*Number of Officers, Non-Commissioned Officers, Privates, Civilians,
Women, and Children on the Island of Tristan da Cunha,
7th December, 1816.*

5 Officers
36 Non Commissioned Officers and Privates
9 Civilians
10 Women
12 Children
—
Total 72

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, *December 12th 1816.*

MY LORD,—Since I had the honour of addressing Your Lordship on the , I have received a further Communication from Monsieur van Hogendorp expressing his perfect readiness to waive all Claim to the Lands in the Neighbourhood of Plattenburgh's Bay upon receiving a Grant of those which you proposed to allot to him at Hout's Bay, but at the same time that the latter are only offered to him under conditions calculated very much to diminish their Value. As it was certainly the Intention of His Royal Highness The Prince Regent that Mr. van Hogendorp should receive as favorable a Grant of Land as the Colonial Regulations on that Subject would admit, I have only to desire that the grant in question may be made to him under the same Conditions as it would have been made to any British subject and as I conceive that the Regulations complained of by Mr. van Hogendorp are those which are equally applicable to all Grants made at the Cape, I have not failed to explain to him that if such be the Case, it will not be in my power to dispense with them.

I have &c.

(Signed) BATHURST.

[Copy.]

*Letter from LANDDROST STOCKENSTROM to the REVEREND
MR. ANDERSON.*

GRAAFF REINET, *December 12th 1816.*

SIR,—The many desertions of slaves and others from the Colony having at length become a subject of general apprehension and complaint throughout this district, I have been under the necessity of taking some very serious steps of late to prevent their continuance, and a plot having been lately discovered on the Sneeuwberg, in which it appeared that several slaves were on the point of leaving their masters to take refuge among the kraals of Bastards on the Orange River, three of which actually put their plan into execution, and one of them having returned with an account that he left his two companions behind on the opposite bank of the Orange River where they intended to remain for some time, if not to reside, and where he also saw two more slaves (deserting from this Colony) in the Kraal of Hans Piquer, who pointed them out to him and mentioned their owners' names, adding that there was another a little lower down the river, a native of Madagascar, who had arrived in that quarter only a month before with one of the two just mentioned, and then living in the Kraal of one Fredrik, I have permitted the master of the two last deserted (being the Field Cornet Andries Burger of Sneeuwberg) to proceed to those kraals above-mentioned and try to procure the assistance of some of the people there to recover his and other slaves who may be among or near them.

I have strictly enjoined said Field Cornet not to commit any violence upon any kraal or horde whatever; but have authorised him to apprehend any deserter from this Colony he may find and bring them prisoners to me; and as I am convinced you will render him every assistance in your power to fulfil his charge, in order to prevent the irregularities and evil consequences which must result from a continuation of such desertions, I have made him the bearer of this letter to you, which he will deliver to you in person if he should be compelled to extend his journey thus far in order not to elude the purport of his trip.

Besides those abovementioned, one slave of the Field Commandant Abraham de Klerk, another of his brother Jacob de

Klerk, and a third of Christoffel Smit, who left their masters some time ago, have (according to the report of said field Commandant) also been seen among the Bastards on the Orange River, and a slave of Thos. Heegers (an inhabitant of this village) was also some time since in one of the kraals, according to your letter to said Heegers handed over to me by the latter. If therefore you could promote the exertions which will be adopted to take up these and others, you will render an essential service to your own Institution as well as to the Colony by deterring others from following an example which they find can no longer cover them from detection and punishment, and oblige &c.

(Signed) A. STOCKENSTROM, Landdrost.

[Copy.]

*Letter from LANDDROST STOCKENSTROM to FIELD CORNET
ANDRIES BURGER.*

GRAAFF REINET, 12th December 1816.

FIELD CORNET,—Enclosed you'll receive the letters for the Missionary Anderson and both the De Klereqs and Smit, the latter of which I beg you to dispatch without delay. These three persons have my permission to travel with you in order to try to get back their runaway slaves, provided they submit to the orders I have given to you as the person responsible in this instance, and which orders as they are to be observed promptly and have already been verbally issued to you will consist herein: that you do repair with a number of burghers (strong enough for your own protection, but by no means so numerous as to excite any fear or suspicion in the minds of the Bastards or Bosjesmen) directly to the kraals where you suppose your and other runaway slaves to be, and then demand in the most friendly and amicable manner from the individuals of those Kraals to assist you in apprehending those slaves, whom you (finding them) will have a right, without any such assistance, to capture, and bring up to this drostdy, not the least violence, however, to be used by any of you towards those kraals, as it is most seriously recommended to you not to lose sight for a moment of the only intention of your mission, which is to take up runaways.

As you have been present at the trial of the plot, and particularly at the examination of the slave Matthew, you'll know best which direction to take, but as you will probably come very near to the residence of Mr. Anderson, it will, in such case, be a good thing for you to request his co-operation, which no doubt, will be readily acceded to.

Trusting that not only your own interest but also that of the other burghers who are concerned therein will be kept in view in the fullest manner, and that on your return an ample report of the result of your proceedings will be made to me by you,

I remain &c.

(Signed) A. STOCKENSTROM, Landdrost.

[Copy.]

*Letter from the Registrar of Slaves to J. F. REITZ, ESQRE.,
Commissary of Vendues.*

OFFICE FOR THE ENREGISTERMENT OF SLAVES,
CAPE TOWN, 12th December 1816.

SIR,—As the revenues of government arising through this department from the sales of slaves sold by public auction have been materially infringed, I must beg you will be pleased to forward to me, as early as possible, a statement of such slaves as have been sold by public auction within your jurisdiction since the 26th April last, and to continue this monthly, specifying by and to whom they have been sold, and of what district the purchasers are resident. I have &c.

(Signed) G. J. ROGERS, Inspector.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas some of the Rules and Regulations contained in my Proclamation of the Twenty-ninth day of July, in the year of our

Lord One Thousand Eight Hundred and Fourteen, for the preservation of Game, and to prevent improper Persons, or others, unlicenced by Government, as heretofore, from the killing of Game, have appeared to be subject to misunderstanding, and to lead to consequences affecting the rights of individual property :— I have therefore thought proper to ordain the following modifications, with which the said Rules and Regulations are to remain in full force, and, under no pretence whatsoever, to be deviated from, viz.

1. That the Sixth Article of the said Proclamation of the 29th day of July, 1814, whereby “the finding of Game in any Dwelling House in Cape Town, or elsewhere, is made liable to a penalty of Fifty Rixdollars,” be repealed and annulled.

2. That it shall, at any time, be lawful for any Proprietor, or Occupier of Land, which shall have been brought into cultivation, to kill, destroy, and drive forth from out of such Land, being in a state of cultivation, all and every species of Game, which shall there have entered or harboured, to the loss, annoyance, and injury of the Proprietor, or Occupier ; provided always, that it shall not be lawful to pursue or destroy such Game out of, or beyond the limits of the Land so cultivated.

3. That no Person or Persons whatever shall, under warrant of any Licence, or other authority, pursue or kill any Game, in or upon any Lands, the property of, or lawfully occupied by, any Individual in the Colony, without the express permission of the Proprietor or Occupier thereof, under a penalty of twenty-five Rds. for the first transgression, and of one hundred Rds. on repetition of the offence, after the first warning, over and above the payment of damages, if such be proved, recoverable by ordinary prosecution at Law ; provided always, that due notice and warning shall have been given, not to trespass in the pursuit of Game on the Lands of the said Proprietor or Occupier.

4. That in consequence of representations which have been made, that the amount of Rewards payable for the destruction of noxious Animals, has, in many instances, exceeded the sum it was calculated would have been required from the respective District Treasuries to that end, no reward shall in future be paid for the killing of Vermin, or other noxious Animals, except as far as regards the Mousehound, Hawk, and Wild Cat ; the destruction of which Animals, respectively, shall be rewarded as heretofore.

And that no person may plead ignorance hereof, this shall be published and affixed as usual.

God save the King !

Given under my Hand and Seal at the Cape of Good Hope, this 13th day of December 1816.

(Signed) C. H. SOMERSET.

[Copy.]

*Letter from LANDDROST STOCKENSTROM to DEPUTY
SECRETARY BIRD.*

GRAAFF REINET, *December 14th 1816.*

SIR,—On a Circuit through the Sneeuwbergen about the latter end of last and beginning of this month the Field Cornet of that Division, Andries Burger, reported to me that two of his slaves and one of Karel Jacobus van Heerden had deserted a few days before and (as he had since understood) made their escape to the Orange River, where they intended to settle among the Bastards of the Missionary Institution, and in which direction he had traced them for near two days journey, but without being able to overtake them. As circumstances led me to suppose that there were more concerned in this plot, I made a very particular enquiry into the cause and origin thereof, and found that several other slaves of said field cornet and his brother Schalk Burger had for some time back been planning such a scheme, proposed by one of those now absent, who had been enticed thereto by some Bastards who had visited Graaff Reinet, with a party of missionaries some time before, and had promised him a safe retreat where he never again would be found; but that the remainder not being able to procure horses were left behind, as the principals fearing that their plot would be discovered, would wait no longer. I thought necessary to punish such as had been particularly concerned, with a determination of proposing some steps to His Excellency the Governor to put a stop to these irregularities; but at my return to this Drostdy I received a letter from the Field Commandant Abraham de Clerq, stating that he had received certain information, that a slave of his, one of his brother Jacob

de Clerq's, and a third of Christoffel Smit Wm. Son, who had lately run away, were also living among the Bastards on the Orange River, and on the 12th Instant the Field Cornet Andries Burger above-mentioned brought to me the slave of Karel Jacobus van Heerden, as abovementioned to have been deserted, which slave then confessed that having joined the two others they pursued their way towards the Orange River with a determination of settling among the black nations beyond the Bastards, but being informed on their arrival among the latter that those black nations were so much exasperated on account of an attack which had been made upon them by Coenraad Buys at the head of those who had lately separated themselves from Mr. Anderson's Institution, that it would not be safe to venture among them, they (the three slaves) changed their mind, when he informed the Bastards that they were run-away slaves, and came back himself, leaving the other two behind, saying that they never would return to their master. This same person also informed me that in one of the Kraals through which he passed two slaves were pointed out to him by one of the Bastards residing in it, one calling himself the property of the widow Van Wyk, who had been there five years, and the other saying that his master's name was Slabbert, and that he had arrived in that quarter about a month before with another slave, whom he had left in another kraal a little lower down the river. Adding to this information, that some time ago a letter from Mr. Anderson to an inhabitant of this village, Thos. Hegers, was handed to me by the latter, in which the former acknowledged that a slave belonging to said Hegers was in one of his kraals or out-posts, that he had tried to persuade him to return, but that as those means had been of no avail, he had no power, nor was it consistent with the object of his mission to send him back by force. These then, and some other representations made to me by inhabitants of their slaves being harboured in those parts, induced me to accede to the request of the Field Cornet Burger, that he might be allowed to go with a small party and try to recover his if possible, and in order to put an effectual stop to such desertions, I directed him to interest himself as much for others as he could, and gave leave to three other persons, concerned in a similar manner as himself, to accompany him.

To convince Mr. Anderson of the reliance which Government places in his coöperation, for the general good, I gave the Field

Cornet a letter to him, of which I have the honor of enclosing a copy, as also one of the orders I have given the Field Cornet himself.

In making you acquainted with these measures for the information of His Excellency the Governor, I am in hopes that His Excellency will see the necessity of some check being given to those encreasing desertions ; and I could not think of any plan more reasonable and fair. I have &c.

(Signed) A. STOCKENSTROM, Landdrost.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 17 December 1816.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's Letter of the 15th October last No. 67.

I have requested His Royal Highness The Commander in Chief to cause the necessary Arrangements to be adopted for placing the reduced Officers of the Cape Colonial Regiment on the Half Pay of the Army. I have etc.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 18th December 1816.

MY LORD,—I have the honour to acknowledge the Receipt of your Dispatch No. 65 and to convey to you in answer the Sanction of His Majesty's Government to an Increase of 1500 Rix Dollars per Annum in the Salary of the Deputy Fiscal Mr. Borcherts in consideration of his useful and meritorious Services at the Cape. I have also to sanction the augmentation you have recommended to the Salary of the first Clerk in the Auditor's Office by which he will receive 400 Rix Dollars per Annum in addition to his former Allowances, and for the Reasons Your Lordship has stated there does not appear to be any objection

to the Employment in this Office of an Extra Clerk at the low rate of 700 Rix Dollars per Annum, to commence as well as the preceding Arrangements from the 1st of July last. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 19 December 1816.

MY LORD,—At the request of General de Neuffer the Würtemberg Minister I do myself the honour to transmit to your Lordship the enclosed Document being a Power of Attorney executed by a Subject of Würtemberg residing at the Cape, and I have to request your Lordship would be pleased to take the necessary Steps for verifying the same and that you would then transmit the paper to me, in order that I may return it to His Excellency the General de Neuffer. I have &c.

(Signed) BATHURST.

[Copy.]

Letter from DEPUTY SECRETARY BIRD to the COMMISSARY OF VENDUES.

COLONIAL OFFICE, 23rd December 1816.

SIR,—It having been represented to his Excellency the Governor that the government is considerably defrauded by persons purchasing slaves at vendue evading the payment of Transfer duty, I am directed to call upon you to furnish the Registry Office with a monthly return of slaves sold by vendue in the preceding month, stating the names or estate of seller, and the names of purchasers.

I have &c.

(Signed) C. BIRD.

[Original.]

*Return of Troops serving at the Cape of Good Hope on the
25th of December 1816.*

Officers of all ranks	201
Sergeants, Trumpeters, Drummers, and Rank and File:	
Royal Artillery	226
Sappers and Miners	11
21st Light Dragoons	918
60th Foot	919
83rd Foot	753
72nd Foot	826
Cape Regiment (Grahams Town)	553
Garrison Company (Alga Bay)	135
	<hr/>
	Grand Total 4542
Prize Negroes	60

(Signed) C. H. SOMERSET, General Commanding.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the creation of new to replace worn out paper money.

27th December 1816.

[Copy.]

Letter from SIR HUDSON LOWE to LORD CHARLES SOMERSET.

ST. HELENA, 28th December 1816.

MY LORD,—I do myself the honour to inform your Excellency that there is embarked on board His Majesty's Ship *Griffon* commanded by Capt. Wright, The Count Las Casas, one of the persons who accompanied General Bonaparte when he came to this Island on board His Majesty's Ship *Northumberland*. He is attended by his son,

The circumstances which have occasioned his removal from the person of General Bonaparte and his being sent to the Colony under your Excellency's Government are briefly as follows.

Count Las Casas had attempted to open a channel of secret and clandestine Intercourse with Europe, and had actually charged an Inhabitant of this Island with letters under a disguised form concealed in the lining of a waistcoat when a disclosure took effect.

It became indispensably necessary and particularly so from the circumstance of only part of the letters having been discovered in the first instance to immediately separate him from General Bonaparte's person and to secure his papers.

He was removed to a different part of the Island under prohibition of Intercourse, except with such persons as I might authorize, until all the circumstances of his case were fully examined, when I finally decided on adopting that course with him which is the most directly pointed out by my Instructions, viz. that of sending him to the Cape of Good Hope, leaving however to him the alternative either of remaining on this Island separate from General Bonaparte or returning to Longwood the place of General Bonaparte's residence until answers should arrive from England on certain points which I found it necessary to refer to the Secretary of State, from whom my authority proceeds regarding him.

These points principally relate to the disposal of certain papers found in his possession, which as having been mutually claimed by General Bonaparte and himself on grounds of a contradictory nature, and for other strong reasons, I have resolved on retaining under Seal in this Island until I should receive answers from England regarding them.

My first proposal to Count Las Casas, I should however observe to your Excellency, was that he should remain on this Island, under the impression that it would be more agreeable to him than proceeding to the Cape. To this proposal he fully assented, and I was in hope your Excellency might have been thus saved the trouble of any consideration in respect to him.

It was not until after the arrival at this Island of the *Orontes* Frigate with Captain Pointowski and the three servants who had been removed from General Bonaparte's establishment that he changed his determination, and decided on proceeding to the Cape.

I am not however enabled to state that this circumstance did influence his decision.

I have since, from motives of consideration to his state of health and that of his son, made frequent offers that he might remain at Longwood instead of living separate from General Bonaparte, but without effect.

Count Las Casas has made repeated applications to me to send him to England.

This my instructions do not permit. It is only when criminally attacked for prosecution at law the Act of Parliament prescribes persons may be sent to England for trial.

In all other cases my Instructions are most particular for removal to the Cape.

This is a circumstance of which Count Las Casas was made fully aware when he signed his declaration to remain on this Island, and having been guilty of a premeditated Breach of the conditions on which he was permitted to reside here, he has rendered himself fully liable to the consequence.

For your Excellency's more full information on this subject, I have the honour to enclose the following papers.

No. 1. Copy of my decision on Count Las Casas' case.

No. 2. Copy of a letter accompanying it.

No. 3. Extract of a letter addressed to Count Bertrand for the information of the persons of General Bonaparte's family before their declarations were signed.

No. 4. Extract of letters from Earl Bathurst in which I am informed of the line your Excellency may have been instructed to pursue in regard to persons sent from this Island, and containing his Lordship's Instructions for my guidance in sending them to the Cape.

No. 5. Extract of a letter from Count Bertrand to me respecting Count Las Casas.

No. 6. Extract from my reply to Count Bertrand.

No. 7. Minute of a conversation had with Count Las Casas on the 27th December.

Your Lordship will observe from the perusal of these several papers that Count Las Casas has received no assurance or encouragement whatever from me, that he would be likely to receive your Excellency's passport to return to Europe, and under all the circumstances of Count Las Casas' case, which have been most

fully reported upon to Earl Bathurst, I should not deem it advisable to take any step in respect to his return to Europe which may anticipate the decision of Government regarding him.

Before his departure from Longwood no complaint was made to me respecting the state of his own health nor that of his son. Since his separation urgent representations have been offered upon this point.

Chagrin of mind may have very possibly increased the disposition to malady in both cases.

The return to Longwood not compulsory, but voluntary, appeared to me to offer the best remedy.

This not being availed of, I consider Count Las Casas himself as responsible for any consequences that may possibly ensue from the change he now exposes himself to. His son has always been at perfect liberty to return to Europe.

I enclose copy of medical reports which I have called for in respect to the state of the Father's and the Son's health. I have &c.

(Signed) H. LOWE, Lt. General.

Abstract of the Accounts of His Majesty's Receiver General at the Cape of Good Hope, for the Year 1816.

REVENUE:

						Rds.	skil.	st.
	Balance	.	.	.	.	15,122	5	4 ⁵ / ₈
Lombard bank	.	.	.	.	.	79,764	1	0
Ditto (repayments)	.	.	.	.	.	26,730	6	4
Discount bank	.	.	.	.	.	26,306	4	1
Vendue duties	.	.	.	.	.	132,265	5	1
Customs	.	.	.	.	.	237,190	1	0
Land revenue	.	.	.	.	.	85,017	6	4
Tithes and transfer duties	.	.	.	.	.	279,559	3	3 ¹ / ₂
Stamps	.	.	.	.	.	112,107	0	0
Sequestrator's department	.	.	.	.	.	13,271	1	1
Printing department	.	.	.	.	.	14,762	2	0
Commando tax	.	.	.	.	.	45,500	0	0
Port dues	.	.	.	.	.	11,634	6	0
Postage	.	.	.	.	.	9,298	1	0
Fees of offices	.	.	.	.	.	51,540	0	2
Do. wine taster's department	.	.	.	.	.	10,723	4	0
Carried forward	.	.	.	.	.	1,150,794	0	3 ¹ / ₈

	Rds.	skil.	st.
Brought forward	1,150,794	0	3 $\frac{1}{3}$
Annual Repayment by Stellenbosch	3,000	0	0
Rent of a mill	414	1	0
Tolls	31,081	2	2
Simon's Town taxes	1,564	2	0
Miscellaneous receipts	6,169	0	5
	<hr/>		
Rds.	1,193,022	6	4 $\frac{1}{3}$

EXPENDITURE:

	Rds.	skil.	st.
Civil list, sterling salaries	285,809	7	2 $\frac{1}{2}$
Colonial salaries	359,074	5	3 $\frac{1}{2}$
Public buildings (erection of new and repairs of old buildings, &c.)	48,388	5	1
Cape regiment	237,705	1	5 $\frac{1}{4}$
Pay of Hottentot captains	2,771	6	2
Commissariat expenses	1,373	7	3 $\frac{1}{2}$
Expenses of offices	29,503	2	4
Criminal prisoners and convicts	9,501	5	2
Remittance to colonial agent	45,669	4	1 $\frac{1}{2}$
Bible and school fund in aid of the same	5,066	0	3
Freight and passage money, travelling expenses, &c.	3,311	3	0
House rent and lodging money	5,925	2	3 $\frac{1}{4}$
Vessels and boats, purchase money and repairs of ditto, in- cluding charges of the harbour master's departments of outposts	5,844	4	0
Buckbay, Grootepost and Somerset establishments	3,477	3	0
Government Constantia wine	360	0	0
Commission of circuit	9,118	4	0
Annual repayment by Stellenbosch (destroyed)	3,000	0	0
Lombard bank, on account of 500,000 rds. fund	50,490	3	5
Roads and bridges	37,313	2	1 $\frac{1}{4}$
Miscellaneous expenditure	10,092	6	4 $\frac{3}{4}$
Balance	39,224	2	3 $\frac{5}{8}$
	<hr/>		
Rds.	1,193,022	6	4 $\frac{1}{3}$

(Signed) J. W. STOLL, Rec^r Gen^l.

MISCELLANEOUS RECEIPTS:—1816.

	Rds.	skil.	st.
Fiscal's department, the amount of expenses refunded by several masters whose slaves were criminally prose- cuted and afterwards returned to them	595	2	0
	<hr/>		
Carried forward	595	2	0

	Rds.	skil.	st.
Brought forward	595	2	0
Agent for Groote Post, in reimbursement of the sum advanced from the Treasury	2,550	0	0
Landdrost and Heemraden of Swellendam, in part payment of the district's debt	218	0	0
Colonial paymaster, in reimbursement of the salary paid to the colonial agent, from the 1st of January to 30 June	2,805	6	5
Total Rds.	6,169	0	5

(Signed) J. W. STOLL, Rec^r Gen^l.

SUNDRY EXPENDITURE:—1816.

	Rds.	skil.	st.
W. Lawson, Esq., for gunpowder	1,930	4	0
G. P. Naude, for the merit and industry shown by him in the invention of a new waggon	500	0	0
Commissary-general, forage issued to the Rev. Mr. Hough	32	1	4
Mr. J. Spoore, the expense he was put to in bringing out live stock for the use of the colony	900	0	0
J. Bruchheiser, meat, &c. for lions	750	6	0
Mr. Roper, in reimbursement of His Majesty's share in a certain fine paid by him.	666	5	2
H. Sturk, in reimbursement of such costs as he was obliged to pay on certain sentences which he obtained against some officers of the 93rd regiment	114	0	4
Commissary-general, forage issued to Rev. Mr. Hough	73	5	4 $\frac{3}{4}$
Premiums given at the farming of the wine licences	865	0	0
J. P. Minnaar, in reimbursement of transfer duties paid by him on a place which he bought from his late mother.	346	5	2
J. H. Bruchheiser, meat, &c. for lions	525	0	0
J. A. Zinn, tools for stone quarry at Robben Island	185	2	0
Executioner	112	4	0
Mr. Theunisson, for two waggons	1,600	0	0
J. Dick, for board and lodging of Captain Poniatowsky.	792	2	0
Mr. Durham, for furnishing the apartments occupied by Captain Poniatowsky in the Castle	105	0	0
Resident at Saldanha Bay, forage for a horse	128	2	0
J. H. Bruchheiser, meat, &c. for lions	225	0	0
Messrs. P. & G. Marais, in reimbursement of certain duties paid by them	240	0	0
Total Rds.	10,092	6	4 $\frac{3}{4}$

(Signed) J. W. STOLL, Rec^r Gen^l.

*Return showing the Population and Cattle in the Possession of Individuals at the Cape of Good Hope
in the Year 1816.*

	CHRISTIANS:				HOTTENTOTS:				NEGRO APPRENTICES:				SLAVES:				CATTLE:												
	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Saddle Horses.	Breeding Horses.	Draught Oxen.	Breeding Cattle.	Wethers.	Breeding Sheep.	Spanish Sheep.	Goats.	Asses.	Pigs.							
Cape Town . .	2,333	1,400	3,986	& do	..	192	& do	218	& do	308	& do	167	& do	4,411	& do	3,015	& do	2,090	2,657	9,284	2,822	2,236	..	..	866	4,060	191	322
Cape District. .	535	408	428	433	70	245	186	257	131	172	23	44	4	2,131	479	651	481	2,090	2,657	9,284	2,822	2,236	..	..	5,427	4,060	191	322
Stellenbosch . .	1,270	1,001	987	1,201	..	429	313	480	312	51	19	17	8	3,994	1,210	1,782	1,086	4,819	4,281	18,308	4,861	4,697	..	..	14,880	12,864	75	954
Swellendam . .	1,298	1,310	914	1,441	..	675	563	602	542	..	..	..	..	1,059	478	591	492	2,753	10,295	14,234	22,116	1,151	..	..	86,155	52,638	7	165
Graaff Reinet . .	1,815	2,209	1,424	2,223	..	1,639	1,259	1,805	1,138	..	..	2	..	962	242	602	232	3,509	6,067	16,022	60,450	1,164	..	..	840,975	35,153	..	78
Uitenhage . .	1,009	1,098	834	1,125	1	543	358	541	377	..	..	..	..	350	124	262	96	742	1,216	9,238	30,323	..	..	..	148,310	23,451	..	..
Tulbagh . . .	1,175	1,175	851	1,298	121	1,186	956	1,230	962	..	..	..	..	1,623	671	933	678	3,728	8,962	15,929	24,168	19,231	..	..	391,996	72,039	..	480
George . . .	729	718	519	752	12	584	568	637	554	577	303	376	304	1,077	2,309	10,873	22,110	1,688	38,878	148	16,713	..	228
Total . . .	10,164	9,319	9,943	8,473	95	5,493	4,203	5,770	4,016	531	42	230	12	15,107	3,507	8,212	3,369	18,718	35,787	93,888	166,850	30,167	1,526	621	10,620	216,968	273,227	2,227	

Return showing the State of Cultivation and Quantity of Land occupied at the Cape of Good Hope in the year 1816.

	MUIDS SOWN:				MUIDS REAPED:				HAY.	VINES.	Leaguers of Wine.	Leaguers of Brandy.	Waggons.	Carts.	Loan Freehold Places.	Loan Places.	LANDS IN FREE-HOLD:				LANDS IN QUIT-RENT:				Government Places.
	Wheat.	Barley.	Oats.	Rye.	Wheat.	Barley.	Oats.	Rye.									Places.	Even.	Morgen.	Roods.	Places.	Even.	Morgen.	Roods.	
Cape Town	lbs.	506 469	5	550	
Cape District	2,849	929	3,014	104	28,850	18,579	13,229	695½	252,700	1,997,290	674½	29	552 111	12½	90	1404	27	8,942	..	..	23,032	..	29½
Stellenbosch	4,578½	666½	3,155	162	37,857	13,647	23,139	1,384	..	17,977,821	13,160	884	1,378 343	..	127½	383	203	17,530 163	..	..	9,056	310	..
Swellendam	3,231	883	263	6½	41,873	15,640	2,662	47	..	1,097,600	351	70½	1,052 52	..	452½	28½	99	42	..	7	1	1,063	635		
Graaff Reinet	646	354	1	1	14,956	6,394	3	31	..	456,770	193	58	1,447 20	..	382	2	113	..	..	..	..	..	..
Uitenhage .	492½	131½	12½	9½	6,436	1,550½	119	70	..	131,000	31½	12	472 12	..	100	..	..	..	..	..	..	..	..
Tulbagh .	3,478	920½	624	191	43,820	16,554	7,953	2,268	..	1,498,700	795	133	1,285 105	..	641	79	..	..	..	..	3	..	..
George . .	863½	321½	23½	..	14,189	5,585	281	..	..	724,150	193½	117	609 23	..	218	7	41	..	..	4	..	18	..
Total .	16,138½	4,206	7,092½	474	187,981	77,949½	47,386	4,495½	252,700	23,883,331	15,398	1,303½	6,795 666	12½	2,010½	639½	483	27,020 632	11	1	133,177	1,495	29½		

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 1st January, 1817.

MY LORD,—I have received and laid before The Prince Regent your Dispatch No. 62, and I am commanded by His Royal Highness to express to you the Satisfaction which His Royal Highness has derived from the earnest Disposition which you have manifested on all occasions to diminish the Expenditure of the Colony under your Government and to furnish every detail necessary to enable His Royal Highness to form a Judgment as to the practicability of bringing the Resources of the Cape in aid of the Military expenditure of the Colony.

It is most gratifying to His Royal Highness to observe that this latter Object, which is at the present moment one of paramount Importance, can by the Arrangement now in contemplation be made compatible with the regard due to the Feelings of the Colonists and to the Claim which you so justly state them to have to the Appropriation to local Improvements of an adequate proportion of the Revenue which they so cheerfully contribute.

If this Opinion is found to be at variance with that which Your Lordship has expressed in your Dispatch, it is only because in intimating the Amount of Military Expenditure You have proceeded upon the Supposition that it was possible to maintain permanently at the Cape during Peace a Garrison of 4000 Men of which a portion should be Cavalry. Upon a review of the general Military Arrangements of the Country it has however been decided that the Force to be allotted to the Defence of the Cape during Peace must be within 2400 Infantry. The consequence is that the Commissariat expence which after deducting the Sum provided in the Estimates, in the course of the last year amounted to 467,115 Rix Dollars cannot in any future year be expected to exceed 300,000. The Portions of Colonial Revenue which I consider properly applicable to defray this charge are as follows vizt.:

The Charge of the Cape Corps which including Clothing cannot be taken at less than	R. Drs. 220,000
The saving upon the Expences of Public Works as recommended by you.	30,000
The Saving of the Salary of Lieutenant Governor	30,000
	<hr/> 280,000

It is upon this Calculation that His Royal Highness has been pleased to signify his Command that the extraordinary expences of the Troops should henceforth be defrayed by the Colony alone.

By thus transferring to the Colony the whole charge of the Commissariat the Services of that Establishment at the Cape may be altogether dispensed with, and as an additional saving will thus accrue to the Public while some Encrease of expence will fall upon the Colony, there will be no objection in the event of the colonial means proving inadequate, to your drawing upon His Majesty's Treasury for a sum not exceeding £5000 sterling in the course of the year, it being however distinctly understood that in no case is this Country to defray any charge on account of the extraordinary Military expences of the Garrison above £5000.

From the manner in which I have proposed that the Colony should defray the extraordinary expences of the Troops, you will observe that the reduction of the Cape Regiment and the Removal of the 21st Light Dragoons are indispensable Preliminaries to the proposed arrangement. If the former has not been already reduced, you will on the Receipt of this Dispatch lose no Time in carrying its complete reduction into effect.

With respect to the Dragoons, Measures will be immediately taken for their removal and for the disposal of their horses in the Colony. If however in the total Absence of all Cavalry, You should deem it advisable (and the Means of the Colony should admit of it) to maintain as is done in Ceylon a certain Number of Colonial Dragoons for the purpose of Military Communication, you will be at liberty to retain any Number of the Horses of the 21st Lt. Dragoons (not exceeding 200) which you may require, for the delivery of which (without Payment) Orders will be duly given.

With reference to those Points of your dispatch which refer to Subjects of retrenchment, I have not failed to communicate to the Commander in Chief your observations with regard to the Staff Officers employed in the Colony, and I have equally pressed upon The Lords Commissioners of the Treasury the Adoption of the economical Arrangements which you have suggested with respect to the Barracks.

I have also represented to the Admiralty the necessity of restoring to the Colony the Buildings occupied by them and of

relieving the Colony from the Repairs of those Buildings which have become dilapidated during their occupation.

In adverting to the various retrenchments recommended by you or actually carried into effect in the Colonial expenditure, I have only to assure you that they have received the entire Approbation of His Royal Highness The Prince Regent, and I should do but little Justice either to His Royal Highness's Commands or to my own feelings if I did not express how much your successful exertions to repay the Debts due by the Colony to this Country, and to reduce the expenditure generally within the Limits of its Revenue have been appreciated. His Majesty's Government feel that it is to your prudent Administration of the Colony that they are principally indebted for the Means of now supporting in the Colony the Garrison required for its defence, and you will I am confident derive the most sincere satisfaction from having contributed at a time of such severe pressure as the present to relieve the Mother Country from so considerable a Charge.

I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from HENRY GOULBURN, ESQRE., *to*
LORD CHARLES SOMERSET.

COLONIAL OFFICE, 3rd January 1817.

MY LORD,—I have received Earl Bathurst's directions to transmit to you the enclosed Letter from Mr. M'Donald, and to request your Lordship would be pleased to give to his Application respecting the unclaimed Property of his son, as favorable a consideration as the Nature of the Case will admit. I have &c.

(Signed) HENRY GOULBURN.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 4th January 1817.

MY LORD,—Your Dispatch of the 19th of October last transmitting a Copy of the Proceedings against a Hottentot, named Kievit, convicted of Murder, having been referred to the Consideration of the Secretary of State for the Home Department, I do myself the honour to enclose to you a Copy of the Answer which Lord Viscount Sidmouth has directed to be returned, stating the Conditions upon which his Lordship would recommend the Prisoner in question to the Royal Mercy. I have &c.

(Signed) BATHURST.

[Copy.]

*Letter from THOMAS LACK, ESQRE., to
GEORGE HARRISON, ESQRE.*

OFFICE OF COMMITTEE OF PRIVY COUNCIL FOR TRADE,
WHITEHALL, 8th January 1817.

SIR,—The Lords of the Committee of Privy Council for Trade have had under their consideration the several papers transmitted in your letter of the 28th August last, relative to a petition of Messrs. Ebdon & Watts, stating that a quantity of tobacco imported by them into the Cape of Good Hope from the Mauritius, and intended to be sold for the consumption of the former colony, had been seized by the Custom House Officers there upon the ground of the importation being illegal; but that Messrs. Ebdon & Watts contended that the transaction was not illegal, the tobacco having been imported from the Mauritius in a British ship, and being admissible into the Cape of Good Hope under the circuitous Trade Act 54 Geo. 3, Cap. 34, that the Custom House Officers at the Cape refused to assign any grounds for thinking the importation illegal, and held the tobacco in seizure to await a decision from hence, for which however it does not appear that they have yet applied.

The Lords of the Committee having great doubts, how far the Custom House officers were justified in deeming the importation illegal, thought it right to refer the case in the first instance to the attorney and solicitor general; but the papers appear by some accident to have been mislaid and never to have reached the Law Officers, and it is strongly represented by the memorialists that the delay thus occasioned in the determination of their case, is greatly injurious to the property; and they have prayed that, at all events, the tobacco in question may be allowed to be sold at the Cape, and the proceeds lodged with the customs till the case is decided: If it should be favorable to the memorialists, the whole of the proceeds to be paid over to them, and if unfavorable, then such part only as, after leaving a reasonable satisfaction to the seizing officer, would save them from the total loss of the property.

I am directed by their Lordships to acquaint you, for the information of the Lords Commissioners of His Majesty's Treasury, that under all the circumstances of the case, they are of opinion that it would be just and fair to accede to this application; and I am thereupon to request that you will move the Lords of the Treasury to give the necessary directions to the Customs accordingly, and also to require that the officers at the Cape of Good Hope should state distinctly and without loss of time, the grounds upon which they considered the importation illegal, and as subjecting the tobacco to seizure; as the Lords of this Committee will then be in a better situation to decide upon the ultimate disposal of the said cargo. I am &c.

(Signed) THOMAS LACK.

[Original.]

Letter from H. HAMILTON, ESQRE., to HENRY GOULBURN, ESQRE.

FOREIGN OFFICE, *January 9th 1817.*

SIR,—In reference to my letter of the 22nd October, I am directed by Lord Castlereagh to transmit to you the copy of a note from Count Münster stating that the Revd. Mr. Kauffman is now arrived in London, and requesting for him a free passage to

the Cape of Good Hope: And I am to request that you will move Earl Bathurst to cause the necessary directions to be given in conformity to Count Munster's request. I am &c.

(Signed) H. HAMILTON

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 10th January 1817.

MY LORD,—I have had the honour to receive your Lordship's dispatch No. 64, acquainting me that it is not the intention of His Majesty's government to appoint any person to succeed to the office of vendue master here, which became vacant by the resignation of Mr. Fagel in the year 1814, and directing me to take the most adviseable measures for the future regulation of the vendue sales, in order that the profits on such sales which have been heretofore assigned to the vendue master may be carried to the Colonial Treasury.

The importance of the Vendue Office as a great branch of the Colonial Revenue must have been made apparent to your Lordship by the report I had the honour to make upon it in my dispatch No. 62. The predilection which all commercial people have for the mode adopted here of disposing of property by Public Sale (so that, in fact, it is almost the only medium of traffic between individuals), while it marked the confidence of the public in the established system, pointed out the necessity of the greatest caution in adopting new regulations, lest the Colonial Income should suffer in consequence of any change which should be adopted calculated to shake the beneficial confidence which I have alluded to. The income already derived from sales by vendue is not inconsiderable, but that income is not all the benefit derived by this government from the public sales, as besides the percentage which is charged upon the sales and which is deducted from the amount which becomes due to the seller, the purchaser is obliged to have a receipt for the amount of his purchase upon a stamp, the value of which varies in proportion to the sum he has laid out, so that the increasing revenue in the stamp department

is to be attributed in great measure to the strong predilection for these public sales.

The duty on public vendues is at present 5 per cent on moveables and $2\frac{1}{2}$ on immoveables; of this the government took $3\frac{1}{2}$ on moveables and $1\frac{3}{4}$ on immoveables, thus leaving to the vendue master $1\frac{1}{2}$ per cent on the former and $\frac{3}{4}$ per Cent on the proceeds of the latter for his profit and to cover his expences. These expences were very high, a great number of persons were employed by him, and upon a very strict examination into the vendue accounts for some years past, I have not found that the vendue master has cleared more than from 12 to 15,000 rixdollars per annum from this source.

In compliance with your Lordship's instructions 'therefore, I have taken the best means I could devise for securing henceforward to the Public Treasury the profit hitherto enjoyed by the Vendue Master, and I have also directed those profits to be brought to account for the years 1815 and 1816, although the agents of Mr. Fagel expected to have had them paid over to him, but as his resignation is of 1814 it did not appear to me that he could have any just claim to them, especially as since his return to Holland he has been in the service of another power as a captain in the Navy. As however I judged that it was essential that no change should take place calculated to shake the confidence of the public in what is so material to our revenue, and as indeed I believed it dangerous to attempt such, I have not hesitated to continue the same persons in the several employments they held under Mr. Fagel, and altho' to the persons in the inferior branches I have caused a small increase of their emolument to be held out to them, yet I have not made a greater increase than I understand the late Vendue Master would have been under the necessity of making had he continued in office. I have enclosed a list of persons employed with the salaries at which it is proposed they should stand for your Lordship's sanction.

Mr. Reitz, who has acted as deputy to Mr. Fagel for seven years, and whose character and conduct have deservedly gained him the esteem and entire confidence of the public, appeared to me to be the fittest person to continue in the superintendence of this important branch of the revenue, and I cannot more clearly explain to your Lordship the line I have adopted, and which I now submit for your approbation, than by enclosing to you the

copy of the letter which I caused to be addressed to Mr. Reitz upon communicating to him the new arrangement. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Concerning the destruction of worn out paper money.

10th January 1817.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 11th January 1817.

MY LORD,—I have the honor to enclose the memorial of Messrs. Ebden and Watts, contractors for the supply of the Navy with tobacco. The principal officers of His Majesty's Revenue having been of opinion, under the circumstances of the case, they had not authority to admit the import of American tobacco from the Isles of Mauritius and yet expressing themselves satisfied with the good intentions of the parties, as by the enclosed certificate, I beg leave to recommend their memorial to your Lordship's favourable consideration. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

To His Excellency the RIGHT HON'BLE LORD CHARLES HENRY SOMERSET, *Governor and Commander in Chief of the Cape of Good Hope, &c., &c., &c.*

The Memorial of Ebden and Watts, of Cape Town, Merchants, most respectfully sheweth :

That the officers of the Customs entertaining doubts as to the legality of the importation of 34 Hhds. of tobacco per *Mary and Sally*, objected to allow the same to be landed, but being convinced that memorialists had acted bona fide, and without any idea

that they were not fully justified by the laws passed regulating the trade of this Colony, they with the concurrence of Your Excellency under a letter dated 6 March 1816, a copy of which is hereunto annexed, permitted the same to be landed and placed in the Custom House Stores, where it still remains. That in the event of the Lords of His Majesty's Treasury, to whom a reference has been made by memorialists touching the legality of the importation, and praying that it might be permitted to entry for Colonial consumption, concurring in opinion with the officer of customs as to the transaction not being strictly legal, much will depend upon their view of the conduct of memorialists, which will doubtless be principally directed by the report of the authorities on the spot; memorialists therefore referring to their former memorials in this case, and trusting that Your Lordship will recognize in this transaction a desire to supply tobacco to His Majesty's Navy with the least possible delay, and without any doubt as to the legality of the transaction, most humbly pray that Your Excellency will be pleased to recommend the case to the favorable consideration of their Lordships.

And your memorialists as in duty bound will ever pray.

(Signed) EBDEN & WATTS.

CAPE OF GOOD HOPE, *January 3rd 1817.*

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, *January 12th 1817.*

MY DEAR LORD,—The Revd. Dr. Jones our Colonial Chaplain having signified to me his Determination to resign the situation he holds here, I have appointed the Revd. Mr. Hough (Chaplain of Simons Town) to succeed him.

The 22nd clause of my Instructions vesting the collating to Benefices here in the Governor for the time being, it becomes my Duty to appoint a Clergyman to the vacancy Mr. Hough's removal has occasioned, and it affords me no small satisfaction that the disposal of it is vested in me, as it gives me an opportunity of requesting your Lordship to name any one (in whom you may

feel an interest) who you may think qualified for the Situation. The Emoluments of this Appointment are £350 sterling per annum, with the advantage of a house and forage for a horse.

Should your Lordship have no one you are anxious about for the Situation, may I ask you to name the vacancy to my Brother Beaufort, to whom I have written on the subject.

As I am aware that your Lordship takes considerable interest in Mr. Hough, it affords me much pleasure in assuring you that his conduct here renders him very deservedly beloved by us all. I am sorry to say that Dr. Jones has not had equal success in cultivating the esteem and good will of the Community here, this is however (as your Lordship must be aware) entirely for your private ear. The sooner Mr. Hough's successor appears at Simon's Town the better. Believe me &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 16th January 1817.

MY LORD,—I do myself the honor to transmit to you the accompanying letter from Mr. Rose enclosing Documents relative to Prize Money on account of the Capture of the Isle of France and Bourbon: and I have to request Your Lordship would be pleased to take the proper Measures for serving Monitions and Attachments on Mr. Joseph Reid, agreeably to the Instructions which accompany the Documents in question. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 17th January 1817.

MY LORD,—I do myself the honour to transmit to Your Lordship a pardon which His Royal Highness has been pleased to grant to the Hottentot Kievit, who was sentenced in a Court of Justice

holden at the Cape of Good Hope on the 2nd of September last, to suffer death for the murder of a Hottentot named Jonken, upon condition of one year's Imprisonment. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, 17th January 1817.

MY LORD,—A Communication having been made to His Majesty's Government by His Excellency The Marquis d'Osmond, announcing it to be the Intention of His Majesty the King of France to dispatch M. de Freycinet upon a voyage of Circumnavigation in command of the *Urania* Corvette, and requesting the Assistance of the British Authorities in Colonies which may be visited in the prosecution thereof, I have to request Your Lordship would be pleased in the event of M. de Freycinet touching at the Cape to afford him every facility in your power both in regard to the Repairs which the *Urania* may stand in need of, and to the supplies which may be required to enable him to proceed in execution of the service upon which he is employed. I have &c.

(Signed) BATHURST.

[Copy.]

Letter from THOMAS LACK, ESQRE., *to* J. R. LUSHINGTON, ESQRE.

OFFICE OF COMMITTEE OF PRIVY COUNCIL FOR TRADE,
WHITEHALL, 20th January 1817.

SIR,—The Lords of the Committee of Privy Council for Trade having had under their consideration a letter from Messrs. Beaufoy & Co. and others, dated 23rd March last, and communicated to their Lordships by Mr. Chancellor of the Exchequer, relative to the rate of duty to which British made wines are subject, as compared with the duty on wines imported from the Cape of Good Hope, and suggesting the expediency of an increase of the duty on

the latter article; I am directed to acquaint you for the information of the Lords Commissioners of His Majesty's Treasury that it appears from accounts called for by this Committee of the quantity of Sweets made in this Country during the 5 years ending 5th July 1815, and of Wine imported from the Cape of Good Hope, that during the year 1815, while the quantity of Cape wine imported was very considerably greater than in any former year, the quantity of Sweets manufactured in this Country fell short of the quantity made in the two preceding years. Under these circumstances the Lords of this Committee conceive that it is not improbable that the increased importation of Cape Wine may have had some of the effects attributed to it by Messrs. Beaufoy, and their Lordships are therefore inclined to recommend that the duty on Cape Wine should be raised from £31 17s. per ton, its present rate, to the same amount as the excise duty now payable on Sweets.

As the present duty on Cape Wine is only one third of that payable on Portugal Wine, and as this difference of duty has evidently had the effect of extending the cultivation of wine at the Cape of Good Hope, the Lords of this Committee trust that the small addition above proposed while it would place the manufacturer of Sweets on an equal footing with the importer of Cape Wine, would in no degree tend to injure the quality or lessen the importation of the latter article. If the Lords of the Treasury shall agree in the principle of this suggestion, I am to request that you will move their Lordships to give the necessary directions for submitting a Bill to Parliament in the ensuing session for carrying it into effect. I am &c.

(Signed) THOMAS LACK.

[Copy.]

Letter from THE COLONIAL SECRETARY to COUNT LAS CASAS.

COLONIAL OFFICE, *January 22nd 1817.*

SIR,—I am directed by His Excellency the Governor to acknowledge the receipt of your letter of the 20th instant, and to inform you that under the circumstances stated to him by His Excellency Sir Hudson Lowe, His Lordship cannot facilitate your departure

for Europe until Sir Hudson Lowe shall have received instructions from His Majesty's Government in England relative to your case.

His Lordship desires me to add that he shall endeavour to render your stay here as little irksome as possible consistent with his public duty. His Excellency will forward any communication you may be desirous to address to the Secretary of State Earl Bathurst, to be laid before His Royal Highness the Prince Regent; but I am commanded to apprise you that it is not conformable with the usages of the British Government to address a letter to the Sovereign otherwise than through a responsible Minister.

His Excellency will also forward any letters you may wish to address to Sir Hudson Lowe. Opportunities of writing both to St. Helena and England are constantly occurring. I have &c.

(Signed) HENRY ALEXANDER, Colonial Secretary.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 23rd January 1817.

MY LORD,—The arrival of Major General Hall allowing me some leisure, I have determined upon no longer delaying visiting the Frontier Districts of Graaff Reinet and Uitenhage, with a view of minutely investigating the causes which have led to the constantly disturbed state in which they are reported to be, and of forming some system for preventing those repeated irruptions of the Savages, which by reducing the Settlers to a state of painful insecurity, are rapidly driving the Colonists from those fertile tracts, from which the rest of the Settlement is most advantageously supplied with Cattle and many other articles valuable to commerce.

The Frontiers of this Colony will ever afford the most important points to which the attention of a Governor here must be called, and there are many things to be ascertained, which I am induced to think can only be so by personal investigation. The bias of the Settlers on the Frontiers is to deal by their savage neighbours with the greatest severity, and this bias has been very soon communicated to almost all the Troops which from time to time

have been stationed among them and witnessed the numerous murders and extended robberies of which the Borderers with seeming justice so loudly complain. I have hitherto endeavoured to impress upon those in authority in these remote districts the policy of treating the Caffres with mildness and kindness, of rewarding every instance of fair dealing, and while Caffre marauders in our territory should be followed and punished, if caught, as their crimes deserve, I have strictly prohibited all instances of retaliation except in such cases *flagrantes delicti* and all incursions from our people upon the tribes to the East of the Fish river. It has been my anxious hope that a perseverance in this system of mildness, an active vigilance in the apprehension of the marauding parties so frequent now within our territory, extending their depredations even to the vicinity of the village of Uitenhage, would gradually bring about a sense of the benefit of friendly intercourse in the breasts of the Caffre Chiefs themselves. Hitherto these hopes have been disappointed, and I regret to add the evil which the Borderers complain of has latterly alarmingly increased. I shall not however be deterred from continuing to act with that lenity which I deem wise on every account, though I shall be anxious in person to learn the reasons of our antecedent failure, and to ascertain whether the orders I have issued have been implicitly complied with and the spirit of them persisted in, and to know why the large military force hitherto employed in the Uitenhage district has not been effectual in preventing the numerous herds of cattle from being driven off, which are now monthly reported to be taken into Caffreland, from whence few comparatively are ever recovered. But independent of this object, there are many other points upon which I deem it essential to form my own judgment; among these, the disposition of the Colonists in both the Eastern Districts, the means of increasing the population in those parts, so as to draw forth from that source a sufficient force for the protection of the Border at no distant period without the aid of regular troops, and the real state of the Missionary Institutions both within and without the Borders of the Settlement, not belonging to the Moravian Communion.

To this last subject I have long been anxious to call your Lordship's attention, but I have delayed doing so until I had had an opportunity of seeing the different systems pursued at those

Establishments. Every day fresh Missionaries are arriving, and though it would be unfair to impute any but the most zealous motives to those who undertake these labours, yet we cannot refuse to acknowledge that it is very problematical whether any benefit has been as yet derived from their exertions (the Moravians excepted) within the Boundaries, while it is evident that the Colony has suffered materially from those Establishments which have been set on foot beyond what are deemed the limits of this Settlement. By far the most numerous class of free labourers has been found among the people known by the name of Bastards, a mixed race between Hottentots and slaves, and among this class also are found the most intelligent and useful. These people have for some years past flocked to the Institutions without the Settlement, where they are under no control whatever; if they now and then visit the Missionary Establishments they are considered members or followers of them, although they receive no instruction or benefit from the religious exhortation of the brethren; part of these men, expert in the use of fire arms, subsist in great measure from the game they kill, but to procure fire arms and ammunition they must revisit the Colony and bring with them something which will induce the itinerant traders to supply them with these prohibited articles. The consequence is that they plunder the distant tribes and traffic with the booty.

The Missionaries settled beyond the Colony do not consider themselves liable to Colonial interference, and assert that they have no power of repressing these evils but by exhortation, and it need not be remarked that much is not to be expected from this sort of Police; but the consequence has lately been severely felt by the Missionaries themselves. At Claarwater (Mr. Anderson's Institution, called by the Missionaries Griqua Town) a number of Bastards have put themselves under the control of one Coenraad Buys (a Colonist long known for his rebellious disposition and bad habits, and who has for many years been a very distinguished character amongst the disaffected on the frontiers), this party has plundered the Brikwas to a great extent, committing several atrocious murders, with this effect however, that the latter people have driven the Missionaries from Leetakoo in fear of the nearer approach of this dangerous race of marauders, while even the Missionaries of Claarwater themselves and their followers are in daily apprehension of an attack from the same party, whose objects

are to obtain from the Missionaries such arms and ammunition as they are known to possess. The anxiety of the Bastards for arms and ammunition is very great, and their skilful use of them renders them the more dangerous.

Runaway slaves find a welcome asylum at these places if they bring a supply of these much sought for articles. The Colonists know the resort of their deserters, but have no means of apprehending them, Mr. Anderson acknowledging to applicants that they are among the members of his Institute, but refusing any aid to secure them except that of exhortation to return to their Masters whom they have plundered. I enclose for your Lordship's perusal a copy of a communication lately received from the Landdrost of Graaff Reinet on this (to the Colonists) very interesting subject, in which he quotes Mr. Anderson's answer to an Inhabitant of Graaff Reinet who had requested him to send back a deserted slave, and I should wish to impress upon your Lordship the necessity of considering this subject even before I have an opportunity of reporting the observations which shall occur to me upon my intended tour. That English Establishments should exist upon our Border, not liable to the Colonial laws and regulations, cannot be satisfactorily explained to the Colonists, who are themselves strictly prohibited from passing that frontier, which they daily see the native Bastards do unrestrained, and to which their slaves desert with impunity. I own I am disposed to think that no further encouragement should at present be given to Missionary Establishments *beyond* the Boundary; there is ample field for exertions confined to their professed objects within it, and that with respect to those already formed, it should be clearly made known to them that they must be liable to the same laws and regulations as are binding upon the other British Settlers in this Province, and that their Establishments should be considered as forming part of the nearest district to them under the control of the local Magistracy, and make them amenable to Colonial law. Such a measure will again bring under control the numerous Bastards who now exist by the plunder which they acquire with impunity, and while it will restore labourers to this community, it will not prevent their receiving that instruction which the Missionaries profess to give them, and which it is so desirable should be more extensively diffused through this Colony.

I purpose setting out on this extensive tour on the 27th, and although from the great heat of the weather I must necessarily be exposed to much inconvenience, and from the nature of the country to the greatest privations, yet if permanent good arises from my exertions I shall feel amply rewarded. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 23rd January, 1817.

MY LORD,—I have the honour to communicate to your Lordship that on the 17th instant His Majesty's Ship *Griffon* arrived in this Bay from St. Helena having on board Count Las Casas and his son, who have been sent hither by Lieut. General Sir Hudson Lowe, His Excellency having had reason in the first instance to separate the Count from Longwood, and finally having resolved to remove him from St. Helena altogether. I have the honour to enclose for your Lordship's perusal a copy of Sir Hudson Lowe's letter to me on this subject, in which he urges me to detain Count Las Casas here until your Lordship's commands are received upon his case, which it appears he has more fully detailed to you, and he, it seems, apprized the Count previous to his leaving St. Helena that it was not probable he would obtain passports from me for his return to Europe, until the decision alluded to should have been received.

Count Las Casas has notwithstanding applied to me, in the most pressing manner, to permit him to embark, and though I have not hesitated, as your Lordship will perceive by the enclosed copy of my reply to him, to comply with the solicitation of Sir Hudson Lowe, lest my not doing so should interfere with any arrangements which your Lordship may have directed in his regard, and in consideration of the great possible consequences which might result from having those arrangements counteracted, yet I must take the liberty to impress upon your Lordship that Sir Hudson Lowe's conduct causes me considerable embarrassment. The instructions I have received from your Lordship with respect to Persons attached to General Bonaparte who shall quit St. Helena

do not go to the cases of persons sent hither in the manner in which Captain Pointkowski and Count Las Casas have been, that is, who are removed from the Island for political or other reasons; the former of the persons named was brought here under the guard of the 66th Regiment and the Count in charge of the Commander of the *Griffon* whose orders were not to allow him to land or hold any communication with the shore without instructions; thus in both instances these persons have been sent here as prisoners. Sir Hudson's appeal to me is with the view that I shall take upon me to detain the Count, without however putting me in possession of any documents by which my judgment can be formed on the case. I am to suppose that circumstances such as have occurred must have been foreseen, and that Sir Hudson Lowe has acted under instructions in the step he has taken, but he leaves me in the dark even as to that point; in the mean time it is thrown upon me to detain the Count here for a very considerable time, and to impose upon him such restrictions as my knowledge of this place renders in my opinion expedient upon my own responsibility.

I gather however from Sir Hudson Lowe's communication that Count Las Casas has broken the engagement under which he was allowed to remain with General Bonaparte, and I conclude that if in the first instance he had refused signing the Instrument, the terms of which he has failed in complying with, he would have been dealt by as Messrs. Savary and Lallemand were, that is, that he would have been sent to Malta and confined there as a Prisoner of War under considerable restraint.

Under this view of the subject, and actuated by the consideration before expressed, I shall keep the Count here until I am honored with your Lordship's orders, but I cannot conclude this dispatch without requesting your Lordship's serious attention to the peculiar situation into which I am thrown by circumstances of this nature, which may, and are very likely, again and again to occur; the expense to which the Colonial Government is put by these visitors is also an object, tho' a very minor one, it is however one which I should be glad could be dispensed with, as I am extremely anxious to keep down the expenditure in every possible shape. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Letter from COUNT LAS CASAS *to* LORD CHARLES SOMERSET.

23 Janvier 1817.

MY LORD,—J'ai reçu la reponse que vous m'avez fait adresser et qui m'apprend que votre Excellence me retiendra captif ici jusqu'à ce que Sir Hudson Lowe ait reçu des réponses d'Angleterre à mon sujet.

Sans doute Votre Excellence a pesé dans la sagesse la force des motifs qui le determinent à un acte aussi important que celui de me priver de ma liberté sans aucunes formes judiciaires préalables, sans même qu'on m'ait dit pourquoi. Il ne me reste plus qu'à me soumettre à l'autorité et à me reposer sur des loix qui viellent pour moi s'il y a lieu. Je n'enterprendrai aucune argument ultérieure pour ma defence, persuadé que vous meme My Lord, dans un acte aussi delicat et dans la justice de votre cœur, vous aurez parcouru attentivement tout le cercle de ma cause toute fois. J'apperçois dans votre reponse que votre decision repose sur les circonstances établies à mon sujet par Sir Hudson Lowe, mais ces circonstances ont elles été contradictoirement établis aux yeux de Votre Excellence, a t'elle entendu les deux cotes de la question, et se croiroit elle à l'abri de toute responsabilité personnelle en executant sur les seules Instructions de Sir Hudson sans aucun regard à mes propres reclamations. Je ne le pense pas, et comment se fait il que ce que Sir Hudson n'a pas cru pouvoir faire sans risques à St. Helena (me retenir prisonnier) se trouveroit plus facile et avec de moindres inconvenients au Cap.

My Lord, si votre Excellence trouvait desirable de s'eclairer sur mon affaire et mes sentimens je suis pret à lui communiquer ma correspondance avec Sir Hudson et à mettre sous ses yeux ma lettre au Prince Regent et à son Ministre. Je vous l'offre, je le desire de plus si de me soumettre volontairement et franchement à mon arrivee en Angleterre à toutes les precautions arbitraires qu'on jugera equivalentes à ma quarantaine politique ici, pouvait alterer votre determination. Je suis pret à y souscrire de bon coeur entre vos mains, tant la santé de mon fils, la mienne, et le vinde affreux dans le quel je me trouve determines n'étant plus ici avec ma famille qui m'est si chere, ni avec l'objet veneré pour

le quel j'avais fait le douloureux sacrifice, me laissant le brulant besoin de retrouver l'Europe.

Enfin, My Lord, s'il me reste aucune chance, si rien ne vous touche, faites du moins partir mon fils, qu'il ne tombe pas victime de circonstances aux quelles son age le rendent tout a fait etranger. Je me preterai volontiers a le voir arraché de mon sein, dans l'espoir de lui menager un meilleur avenir et moi demeuré seul avec mes infirmités et mes peines. Je me resignerai avec plus d'indifference le croyant plus heureux a la sentence de mort lente qui va s'executer sur moi, sans qu' aucun tribunal l' ait debattue sans qu' aucun juge l' ait prononcée.

J'ai l'honneur d'adresser a Votre Excellence une lettre pour Lord Castlereagh renfermant celle pour son Altesse Royale le Prince Regent. Ma lettre se trouvait deja ecrite et fermée quand les renseignements que vous avez eu la bonté de me donner a ce sujet me sont parvenus, je devais m'adresser personnellement. Je n'ai pas cru devoir la recommencer l'état de mes yeux me rend l'ecriture trop penible et je vois d'ailleurs que j'avais deviné les formes essentielles. J'ai l'honneur &c.

(Signé) Co. DE LAS CASAS.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 25th January 1817.

MY LORD,—It appearing by a communication from the Secretary of the Court of Directors of the East India Company that Arrangements have been made for receiving the 21st Dragoons on board the Ships *Lord Castlereagh* and *Thomas Grenville*, which will sail from England about the end of April next, I have to desire your Lordship would be pleased to give Orders that the above Regiment may be held in readiness to embark for India with as little delay as possible after the Arrival of the Ships in question at the Cape of Good Hope. I have &c.

(Signed) BATHURST.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*CAPE OF GOOD HOPE, *January 25th 1817.*

MY LORD,—Since closing my dispatch to your Lordship No. 73 I have received another communication from the Count Las Casas, a copy of which I have herewith the honor to transmit to your Lordship, with the copy of the reply I caused to be given to it.

Your Lordship will from this last communication of the Count's perceive that I am placed in a situation of considerable embarrassment, but the line I have taken in this affair having been with the view of relieving the Government at home from what might be even greater embarrassment, inasmuch as that I perceive, as I before said, that it was not thought advisable to permit Messrs. Savary and L'Allemand to land in England, but that they were sent to Malta, I trust to your Lordship's favorable construction of my conduct in this delicate affair.

I have the honor to enclose a letter addressed to Lord Castle-reagh by the Count Las Casas. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*CAPE OF GOOD HOPE, *25th January 1817.*

MY LORD,—I have the honor to transmit to your Lordship herewith the several Proclamations and Government Advertisements issued since the 18th May 1816, together with the Accounts of the Receiver General from 1 April to 30 September last.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Letter from the COLONIAL SECRETARY to COUNT LAS CASAS.

COLONIAL OFFICE, 25th January 1817.

SIR,—I am directed by His Excellency the Governor to acknowledge the receipt of your letter of yesterday's date, expressing your desire that your son should depart for Europe. His Excellency will very readily furnish passports for furthering your wishes on that head, but it must be under the restriction that your son proceed in a vessel bound direct for an English port, and that he do not land until he shall have received permission to do so from His Britannic Majesty's Government, to whom he is to communicate immediately on his arrival at an English port. His Excellency regrets that he cannot enter further on the other topics of your letter than he has already done in my letter to you of the 22nd instant. I have &c.

(Signed) HENRY ALEXANDER.

[Original.]

*Return of Troops serving at the Cape of Good Hope on the
25th of January 1817.*

Officers of all ranks at the Regimental Head Quarters or on Detached Duty at the Station	226
Sergeants, Trumpeters, Drummers, and Rank and File :	
Royal Artillery	216
Sappers and Miners	11
21st Light Dragoons	913
60th Foot	877
83rd Foot	824
72nd Foot	907
Cape Regiment (Graham's Town)	552
Grand Total	4526
Prize Negroes	69

(Signed) C. H. SOMERSET, General Commanding.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 26th January 1817.

MY LORD,—I addressed Your Lordship on the 12th instant notifying to you the resignation of the Revd. Dr. Jones, Colonial Chaplain. As the measure which the Doctor had adopted was, as he stated to me, the result of much consideration, hastened by the impossibility I found myself in of again acceding to his wish for leave of absence to return to England, he having been absent during the two first years of my residence in this Government, I was not a little surprised at the extraordinary tone of his subsequent correspondence with me. His last letter of yesterday evening has put it out of my power to continue to answer him, and as he may and probably will trouble the Bishop of London and his friends in England with some statement of his case which may reach your Lordship's ears, I have thought it advisable to transmit to your Lordship: 1st a minute of a conversation which passed between Doctor Jones and myself at an interview solicited by him in writing and for the express purpose of this communication.

2nd. The heads of a conversation which the Colonial Secretary, Mr. Alexander, had with Dr. Jones on the same subject.

3, 4, 5, and 6. Copies of Dr. Jones' letters to me with copies of my replies to the three first. I make no comment on these documents. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

Minute of a conversation which had passed between the Reverend Doctor Jones and His Excellency Lord Charles Somerset at an interview solicited by Doctor Jones in writing.

On the 7th of January Dr. Jones addressed a note to me desiring to have a few minutes conversation with me the first time I should come to town. Happening to be in town, I rode immediately to his house. He received me by thanking me for my prompt attention to his request. He first asked me if I had decided about the pay of the Military Chaplain. I told him that I could give no answer to that till I knew what expectations had

been held out to Mr. Dennis relative to the period from which his salary was to commence. He then said that he was doing the Military Chaplain's duty without remuneration. I replied that I had understood from Mr. Hough when the arrangement was made between them in June (to which I was not a party) that he (Doctor Jones) had declined receiving any part of it, however that I was sure Mr. Hough would be most ready to cede any part of it or even the whole if Dr. Jones expressed a wish on the subject, and that I would communicate with Mr. Hough without delay. Dr. Jones then said that after considerable wavering (as I was already aware) he had determined upon resigning his situation here, he stated that he and Mrs. Jones suffered many privations, that his necessary expenditure exceeded his emoluments, that there was no professional society for him, and that besides all the circumstances the situation did not compensate for the banishment and the privations they suffered. He then expressed a hope that he might be allowed to go home on leave of absence for a certain period, in order to retain his salary for some time as some compensation for the great expences he had been put to in coming out here. I told him that his having so recently had the indulgence of nearly two years absence rendered my compliance with that request impossible, as it would form a most embarrassing precedent in this Government, I therefore hoped he would not press it. "Then," said he, "we must go home without it." Dr. Jones then asked me if I had any objection to his notifying his resignation to the Bishop of London. I said I certainly did object to it until I should have mentioned his successor to Lord Bathurst, as tho' there was no one whom I was anxious about at the present moment, yet that the collating to all benefices was by my instructions vested solely in the Governor for the time being and it was a duty I owed my successor not to allow that or any other power with which I was vested to be infringed. Dr. Jones said he had no other view in making the communication to the Bishop than, as he came out here under his Lordship's auspices, it might appear strange or disrespectful to the Bishop if the first intelligence he should receive of his resignation should be his presenting himself before him. I assured him I would give it the earliest consideration, and would let him know when he might make the communication to the Bishop.

(Signed) C. H. SOMERSET.

[Enclosure 2 in the above.]

Heads of conversation which the Colonial Secretary Mr. Alexander had with the Reverend Dr. Jones.

Mr. Alexander on calling on Lord Charles Somerset was told, you will be surprised to hear Dr. Jones has resigned. I said, My Lord, are you sure, because I was with him yesterday at the School Commission and nothing similar transpired, on the contrary he wished to separate his congregation from the others and rely upon them for a separate support to a particular school under the guidance of the subscribers. His Lordship then detailed his conversation with Dr. Jones and how it grew out of a note soliciting an interview. I asked His Lordship's permission to communicate with Dr. Jones on the subject, and obtained his permission.

I wrote to Dr. Jones a note stating I understood from His Lordship he had resigned. I stated it was a serious step, and some of the little inconveniences that led to it would occur without some little change in his manner wherever he went. He waited upon me immediately, and when I told him Lord Charles was about to act on his resignation and that I was surprised at it, he said he found himself so unpleasantly situated as to resign. I stated if he would excuse me from an intention of discussing personal and unpleasant matters, I should enter into the subject with him as a friend, but not as Colonial Secretary. I argued with him that his salary and the probable additional salary was not easily obtainable at home, and that as the little inconveniences he complained of: want of society, want of rank and distinction, and fancied neglect. He said then he had only declared his intention of resigning, and had not resigned because he had received his appointment in England on a stamp, I believe a 20 shilling one, and his resignation must be equally formal. I told him an English Stamp was not necessary to any appointment here. He added he fortunately had Lord Bathurst's letter to Sir John Cradock authorizing his appointment. I said Sir John Cradock was not then Governor as I recollect, and such an authority might be necessary in Sir John's eyes, but was not here, that other officers gave in their resignation by conversation as well as in writing, and I exemplified Messrs. Dashwood and Zorn,

upon reference I found Mr. Zorn had done so, Mr. Dashwood in writing. But I did state to him, if he wished to retract his act he had better do it and that I believed Lord Charles had no feelings to preclude his accepting an explanation if made before he acted, but apprized of the resignation, it was his determination and duty to see a situation so important should not be vacant. He then asked what were the circumstances alluded to in my note I thought ought to be changed in his manners? I stated a little more attention to the ordinary feelings of society. He urged in what point? I stated in asking questions publicly which might hurt the feelings of individuals, and probably by his not taking upon him he would obtain more rank and weight. He asked me what I meant? I instanced a day or two before his going out of the room before General Hall, that Lord Charles, a man accustomed to good company, was annoyed at these trifles. He replied, Lord Charles and his family liked his wife better than him. I said certainly her manners were more considerate and pleasing. He asked me would I have him stay at home and let her go out without him? I said that was an idle discussion, Mrs. Jones would not go out without him. He said he was no courtier and might give offence, that he asked no favours. I said he might be no courtier, but that he was a great asker, that he owed Lord Charles for two years leave of absence and had twice or thrice repeated his request, and now wished his Lordship to postpone the leaving the performance of the duties for his convenience and to sacrifice his sense of right and wrong for his advantage alone. I closed the conversation by observing that it was idle discussion, that as an older man I spoke to a younger whom I had known for some time not to persevere in what he might have reason to repent, and if he had altered his opinion and determined to stay to communicate with Lord Charles before he wrote to Lord Bathurst or acted. He then stated his wish for the additional salary being paid with a retrospect. I ventured to assure him Lord Charles would do him justice and that I should not forget to procure the authority.

(Signed) HENRY ALEXANDER.

[Enclosure 3 in the above.]

MY LORD,—As I understand that your Excellency is about to quit Cape Town for the interior, I shall be much obliged by your Lordship's leaving instructions that my salary as Senior Chaplain may be paid me to the day of my departure, as also the arrears of my promised £700 a year should Lord Bathurst's confirmation arrive in time.

Of course, I shall not send in my official resignation till the eve of my embarkation for England, which I shall then do to the Colonial Secretary; your Lordship having informed me that such was the regular channel and having at the same time promised me that it would be accepted. I have &c.

(Signed) R. JONES.

CAPE TOWN, *January 23rd 1817.*

[Enclosure 4 in the above.]

January 23rd 1817.

SIR,—I will give the directions relative to your salary which you desire. I believe I have already notified to you my acceptance of your resignation and that I have informed Lord Bathurst of the name of your successor. I have &c.

(Signed) C. H. SOMERSET.

The Reverend DR. JONES.

[Enclosure 5 in the above.]

CAPE TOWN, *Friday, Noon, January 24th 1817.*

MY LORD,—I have the honour to acknowledge Your Lordship's letter of this day's date; as a difficulty arises in comparing its contents with your Lordship's letter received yesterday on the subject of salary, I am anxious to have matters perfectly understood, before your Excellency leaves town.

Am I then, My Lord, to consider my salary as ceasing from the 7th instant, the date of my supposed resignation, or am I to receive it to the day of my quitting the Colony? I have &c.

(Signed) R. JONES.

[Enclosure 6 in the above.]

January 24th 1817.

SIR,—In reply to your letter of this date just received, I have to state to you that I consider that you notified to me your formal resignation of your appointment on the 7th instant, but it was then agreed that you should remain till the arrival of the Revd. Mr. Dennis, and of course as long as you are required to perform the duties of Colonial Chaplain you will be entitled to and I have given orders for the issue of the Emoluments of that situation, and also for any addition to the Salary (should I receive instructions to that purport) from the date directed by the Secretary of State.

I have &c.

(Signed) C. H. SOMERSET.

The Reverend DR. JONES.

[Enclosure 7 in the above.]

MY LORD,—The purport of my letter of this morning was to assure your Lordship *that I had not resigned*. May I request to be informed whether it is arranged (as I hear it is) that Mr. Hough is to *supersede* me on the arrival of Mr. Dennis. I have &c.

(Signed) R. JONES.

CAPE TOWN, Thursday evening, January 23rd.

[Enclosure 8 in the above.]

NEWLANDS, Friday morning, January 24th 1817.

SIR,—I had the honour to receive your note yesterday evening, and in reply have only to inform you that in consequence of your resignation made formally to me on the 7th instant, I have taken the measures which my Duty imposed upon me to provide for the future performance of the duties of Colonial Chaplain. I have &c.

(Signed) C. H. SOMERSET.

The Reverend DR. JONES.

[Enclosure 9 in the above.]

CAPE TOWN, *January 25th 1817.*

MY LORD,—I have only to say in answer to Your Lordship's letter of yesterday evening, that as my appointment was official and in writing, my resignation, when made, shall be the same. What construction Your Lordship may be pleased to put or what steps to take, upon the conversation of the 7th instant, can never shake my opinion.

If however your Lordship continues to construe an intended into actual resignation, a mere intimation into a fact, it is useless for me to say more. In the mean time, as I do not wish to be made a convenience for others, I beg leave to add that I cannot suffer myself to be considered as *acting* when in reality and in justice I am principal.

I have to beg therefore that Your Lordship will either acknowledge me still as Senior Chaplain or otherwise provide from this date, for the future performance of the duties of the English Church at Cape Town. I have &c.

(Signed) R. JONES.

[Enclosure 10 in the above.]

BUITENKANT, *January 10th 1817.*

MY DEAR SIR,—As I hope to quit the Colony next month I am anxious to make every necessary arrangement as soon as I can.

To this end I will thank you to withdraw my name as a subscriber to the New Bible and School Fund. And as I am personally bound to make good the promises held out on behalf of the Commission to the three Societies in England I should feel much obliged by your furnishing me with a Bill to the amount of what was promised and *is due to this time*. After which the B. & S. Commission may do as they please.

With respect to the little plot of land on Green Point, get for it what you can in ready money. Very truly yours,

(Signed) R. JONES.

J. W. STOLL, Esqre.

[Enclosure 11 in the above.]

HENRY ALEXANDER, Esqre., Colonial Secretary.

SIR,—I beg to enclose the copy of a letter sent by me to His Excellency the Governor on Saturday the 25th instant. Not having had any answer thereto, I shall feel much obliged by your informing me what arrangement has been made respecting the future discharge of the civil duties of the English Church at Cape Town. I have &c.

(Signed) R. JONES.

CAPE TOWN, *January 28th 1817.*

[Enclosure 12 in the above.]

January 28th 1817.

SIR,—I have received no orders from His Excellency on the subject of your letter of the 25th. I have &c.

(Signed) HENRY ALEXANDER, Colonial Secretary.

The Reverend DR. JONES.

[Enclosure 13 in the above.]

January 28th 1817.

SIR,—From his Excellency's silence upon the subject, I have only to conclude that my letter of the 25th instant never came to hand. Shall I beg therefore that you will be good enough to transmit to His Excellency the copy of the same sent to you this morning: being anxious to learn His Lordship's determination upon the subject as soon as possible. I have &c.

(Signed) R. JONES.

HENRY ALEXANDER, Esqre., Colonial Secretary.

[Enclosure 14 in the above.]

January 28th 1817.

SIR,—I have reason to know His Excellency did receive your letter of the 25th, but he has given no orders thereon. I have &c.

(Signed) HENRY ALEXANDER.

The Reverend DR. JONES.

[Enclosure 15 in the above.]

CAPE TOWN, *January 28th 1817.*

SIR,—As it appears that His Excellency received my letter of the 25th and as he has been pleased to take no notice of it, I beg leave to say that it is quite impossible for me to do any further duty till I am acknowledged Senior Chaplain. You will therefore oblige me by communicating such my resolution to His Excellency, that provision may be made for the future performance of the civil duties. I have &c.

(Signed) R. JONES, D.D., Senior Chaplain.

HENRY ALEXANDER, Esqre., Colonial Secretary.

[Enclosure 16 in the above.]

CAPE TOWN, *January 13th 1817.*

MY LORD,—I have the honour to acknowledge Your Lordship's letter enclosing one from the Revd. Mr. Hough of Simons Town.

As the Military Chaplaincy had never before been separated from the Senior Civil Chaplainship of Cape Town and conceiving it unjust that another chaplain living at such a distance should enjoy the situation, I certainly could not persuade myself to listen to that Chaplain's proposals, especially as he was my Junior as civil, and "acting" only as Military Chaplain. Had a direct communication been made from Your Lordship, I should earlier have explained.

I could have wished, that what Mr. Hough is pleased to say, about the services he rendered to me on his arrival in this Colony, had been spared. Greater kindness I could not have shown to a brother. As he could do no duty at Simons Town (the church not being built) and as he expressed himself so uncomfortable in remaining at Mr. Brand's house, I procured him lodgings at Cape Town. I *had* occasionally the benefits of his assistance. Till this moment however I conceived that the arrangement was as serviceable to him as to me. It at least gave me the opportunity of introducing him into the family of the Governor and others, to whom otherwise he never would have been so intimately known.

What Mr. Hough means by saying that "he thinks the consideration of the case ought not to be retrospective" I know not.

From the 9th of March, the day of my arrival, to the 24th of August, I did the *greater part* of the garrison duties, from the 24th of August to this date I have done *the whole*. Mr. Hough in the meantime, whose parish is 20 miles off, has enjoyed and still enjoys all the emoluments of the situation. I will leave this statement of facts to speak for itself. And I think I shall be forgiven, after what has transpired, in appealing rather to your Lordship's impartiality than Mr. Hough's generosity. I have acquainted the Bishop of London with my intention to resign the Chaplaincy of Cape Town. I have &c.

(Signed) R. JONES.

[Enclosure 17 in the above.]

CAPE TOWN, *January 14th 1817.*

SIR,—I shall be obliged by your informing His Excellency the Governor and Commander in Chief, that from this date, I shall perform no more of the duties of the garrison Chaplainship until such time as recompense is made me for *past* services, equal to the military allowances, enjoyed by the Junior Civil Chaplain, resident at Simons Town. I have &c.

(Signed) R. JONES, D.D., Senior Chaplain.

MAJOR ROGERS, Military Secretary.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, *January 26th 1817.*

MY LORD,—I have the honor to introduce to your Lordship Mr. Beelaarts van Blokland, a gentleman of distinguished talents and learning, who has held an official situation in this Government during 14 years, the last eleven years of which he has filled the important situation of Secretary to the Court of Justice, the duties of which he has performed with an ability which has been as beneficial to the Government as it has been creditable and honourable to himself.

Your Lordship is aware that I have not the power of granting

any civil servant of this Government a more extended leave of absence than 3 months, but I beg to recommend Mr. Beelaarts to your Lordship's favour for a renewal of his leave. It is I believe probable that he will be offered a situation in Holland, which I conceive to be his main object in returning to Europe. Mr. Beelaarts is well known to the Baron Hogendorp. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 28th January 1817.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's dispatch No. 69 of the 24 of October last. The Arrangements which you have made for the occupation of the Islands of Tristan da Cunha appear to be perfectly satisfactory, and I have to convey to you the Sanction of His Majesty's Government for the Allowances you have directed to be drawn by Captain Cloete of twenty Shillings a day during the time he shall remain in command of the detachment which has been ordered upon this Service, and of five Shillings a day to each of the three officers who are employed under him, in order to enable them to defray the expenses which they must incur in providing themselves with necessaries upon a Station so remote as the Islands in question. I have &c.

(Signed) BATHURST.

[Original.]

Letter from the Colonial Auditors to the Lords Commissioners of His Majesty's Treasury.

COLONIAL AUDIT OFFICE, 28th January 1817.

MY LORDS,—We have the honor to report to your Lordships that we have taken into consideration the letter of Mr. Goulburn of the 8th inst. with its enclosures relative to the regulation of the money assessments on the part of the Landdrosts of the several

Districts of the Cape of Good Hope transmitted to us by order of your Lordships on the 21st instant.

From the examination of these documents, which contain much information upon the subject that we had not previously received, it appears to us, that as well from the constitution of the Court of Landdrost and Heemraden, as from the checks already established for the regulation of their expenditure and examination of their accounts, an audit of them in this Country would not be attended with advantage proportionate to the inconvenience which it might occasion. We have &c.

(Signed) E. H. LUSHINGTON,
EDMUND BYNG.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 30th January 1817.

MY LORD,—Adverting to that part of your Lordship's Dispatch No. 62 in which you express a disposition to encourage the establishment of an academy at the Cape to which the East India Company's Servants might send their sons for education at that time of life when a residence in the East Indies is considered to be prejudicial to youth, I must not omit to express my doubts how far such an establishment advantageous possibly to the local interests of the Cape, would be conducive to the general interests of the Empire; in as much as by thus superceding the necessity of Parents sending their Children to Europe for education, it is to be apprehended that the rising generation would gradually become alienated from the Mother Country by being deprived of all opportunities of forming friendships and Connections, except with each other, and would thus become insulated in their affections, habits, and attachments.

This Observation however is by no means intended to discourage the establishment of seminaries for the education of the inhabitants of the Cape, which may be attended with any beneficial results. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 30th January 1817.

MY LORD,—From a most attentive Consideration of all that your Lordship has stated in your several dispatches with respect to the possibility of encreasing the disposable Revenue and otherwise promoting the advancement of the Cape it appears that no mode is so likely to prove effectual as that which should create an encreased demand for its staple commodity. The effect already produced by the diminution of the duty on Cape Wine, and its encreased consumption in England, lead me to anticipate the most favorable results to the Colony, if the quality of the Wine can be so far improved as to bring it into competition with the dry white wines of Spain and Madeira. It is a fact too well known that the quantity produced in Spain and Madeira is insufficient to supply the continually increasing demand, and there is therefore no doubt that if the Wine of the Cape can be in any degree assimilated to those Wines, either by greater Attention to the cultivation of the Grape or by greater Care in the manufacture of the Wine (both of which are as I am informed capable of great improvement,) the Wine of the Cape would always find a ready Sale in this Country, and would soon be equally an Object of Commerce with Foreign Nations.

Under this View I cannot too strongly inculcate upon you the importance of giving every possible encouragement to the improvement of the Vineyards and of the manufacture of their produce. Your Lordship will be the best judge how far this Object is to be effected, whether by premiums on Wine of a particular quality, or by fixed regulations pressing to a certain degree upon that which is inferior. The Wine taster's Department will give you facilities for carrying into effect any measure to which you may deem it proper to resort without any additional expence. I shall therefore content myself with drawing Your Lordship's particular Attention to the Subject, leaving it to your own judgment to select the Means by which the Object in View may most effectually and easily be attained. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, 30th January 1817.

MY LORD,—This letter will be delivered to your Lordship by Mr. Benjamin Moodie, who is desirous of becoming a Settler at the Cape of Good Hope.

I have to request your Lordship will give directions that a grant of land may be made to Mr. Moodie proportionate to the means which he may possess of cultivating the same, and subject to the established regulations of the Colony. I have &c.

(Signed) BATHURST.

[Original.]

Letter from JOHN BARROW, ESQRE., *to* HENRY
GOULBURN, ESQRE.

ADMIRALTY OFFICE, 1st February 1817.

SIR,—Having laid before my Lords Commissioners of the Admiralty your letter of the 27th ulto. conveying Lord Bathurst's request that the buildings at Cape Town occupied by the Naval Department may be restored to the Colonial Government of the Cape of Good Hope, and in the same state of repairs in which they were when they were originally made over to the Navy,

I have their Lordships' commands to acquaint you that they have directed the Navy Board to restore the said buildings to the Colonial Government; but after so long a lapse of time it seems almost impossible to ascertain what the state of repair was, when those buildings were originally delivered to the Naval Department, and that besides, as they are no longer necessary for naval service, My Lords do not think they could be justified in incurring any expence out of Naval funds on this account.

I am &c.

(Signed) JOHN BARROW.

[Original.]

Letter from W. D. JENNINGS, ESQRE., *to* LORD
CHARLES SOMERSET.

CAPE TOWN, 3rd February 1817.

MAY IT PLEASE YOUR EXCELLENCY,—I trust that your Lordship will not consider me too intrusive in troubling your Lordship with the following statement.

In the year 1792 I was admitted a proctor in His Majesty's High Court of Admiralty, and in the several Ecclesiastical Courts of England.

In 1809 I had the honor to be appointed, (under His Majesty's Royal sign manual) His Majesty's Procurator General in this settlement and sailed for this early in July of that year.

During a residence of more than seven years in this Colony I have at all times been willing to afford every assistance in my power to His Majesty's Government, and when called upon my best abilities have always been exerted in its service.

In November 1813 Sir John Francis Cradock, at that time Governor, being anxious to introduce an Englishman into the Court of Justice was pleased to offer me the vacancy occasioned by Mr. Fagel's resignation; having made arrangements to return to my children and family in England I declined the honor, but the continued and urgent solicitations of Sir John Cradock at last induced me to accede to his wishes. I have been a member ever since and have attended the Commission of Circuit three times as Judge, once as Junior member and twice as president.

For my professional character and services I beg leave to refer your Excellency to the Chief Justice and to the other members of the Court as also to the different magistrates whose districts I have visited with the Commission of Circuit.

As to my general conduct I am proud to say that I do not know an individual whose opinion I should dread should your Lordship think proper to make enquiries respecting it.

Had I gone to England at the time I became a member of the Court I could three years since either have taken my own son as an articled clerk or some other young gentleman with whom I might have received a premium of one thousand pounds, and this advantage would have recurred at the expiration of every fifth

year afterwards. I should also have had the opportunity upon the death of Charles Bishop Esquire His Majesty's late Procurator General in England of exerting my interest to succeed to that appointment or to some other of the several vacancies that have occurred in my profession.

It is perhaps unnecessary to inform your Lordship that the salary which I have received, lessened as it has been by the payment of an interpreter, has been wholly inadequate to my necessary expences.

Added to this I beg leave to assure your Excellency that since I have been detained in this Colony by having accepted the situation of a member of the worshipful the Court of Justice my pecuniary losses have nearly trebled the whole amount of my salary.

Under these circumstances I venture to solicit from your Lordship such an introduction to The Right Honourable Earl Bathurst as your Lordship can conscientiously honor me with, hoping that I may upon your Lordship's representation obtain some situation that will enable me to return to this Colony with justice to my children and satisfaction to myself. I have &c.

(Signed) W. D. JENNINGS.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, February 5th 1817.

MY LORD,—I take the liberty of introducing to your Lordship Mr. Jennings, His Majesty's Procurator General in this Settlement and a member of the Court of Justice here. He returns to England on very important family affairs, and as he conceives that some new arrangements may be made in the judicial department here he is anxious to have the honour of being known to your Lordship with a hope of being considered should such arrangement have place. The enclosed letter (addressed to me) will put your Lordship fully in possession of Mr. Jennings' qualifications, his claims are the high respectability and uprightness of his character, and the sound judgment, talent, and zeal which

he has evinced in the execution of the arduous duties he has had to perform ; by these he has most laudably upheld the character and authority of our Court of Justice, and I most conscientiously and sincerely recommend him to Your Lordship's patronage.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

*Letter from the REVEREND DR. JONES to the
COLONIAL SECRETARY.*

CAPE TOWN, *February 7th 1817.*

SIR,—Having declared to His Excellency the Governor my intention of resigning my Situation, and having obtained his permission so to do, I beg leave now to send in my resignation, and desire a pass to leave the Colony. I have &c.

(Signed) R. JONES, D.D., Senior Chaplain.

[Original.]

*Letter from J. R. LUSHINGTON, ESQRE., to
HENRY GOULBURN, ESQRE.*

TREASURY CHAMBERS, *10th February 1817.*

SIR,—With reference to your letter of 17th December last, on the subject of an additional duty being imposed on Cape wines, I am commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you copy of a letter from Mr. Lack of 20th ultimo on this subject, and I am to acquaint you for the information of Earl Bathurst that it is their Lordships' intention to submit a Bill to the consideration of the legislature for increasing the duty on Cape Wine as therein recommended.

I am &c.

(Signed) J. R. LUSHINGTON.

[Copy.]

*Letter from LORD MELVILLE to REAR ADMIRAL
SIR GEORGE COCKBURN.*

ADMIRALTY, 10th February 1817.

SIR,—An order was sent last year to take possession of the Island of Tristan d'Acunha, and one reason for the adoption of that measure was the supposed facility with which an enterprize might be directed against St. Helena for the purpose of enabling Buonaparte to escape from thence.

As the retaining possession of Tristan d'Acunha, though attended with considerable inconvenience, must be persevered in, if there is any weight in the reason which I have mentioned, I should be glad if you would favor me with your opinion as to how far it may be prudent, with a view to the security of Buonaparte, to withdraw from the Island, and abandon it altogether. I have &c.

(Signed) MELVILLE.

[Copy.]

Letter from SIR GEORGE COCKBURN to VISCOUNT MELVILLE.

CAVENDISH SQUARE, 11th February 1817.

MY LORD,—In reply to the letter of yesterday's date which I am honored with from your Lordship, I have no hesitation in stating that I do not consider the occupation of the Island of Tristan d'Acunha to be of the slightest importance towards the security of General Buonaparte at St. Helena.

I conceived it to be essential to possess ourselves of the Island of Ascension because it is situated within the limit of the same Trade wind with St. Helena, is of course within the invariably moderate weather precincts, and being but a short distance and directly to leeward, a boat or small vessel might run down to it from St. Helena with perfect safety in three or four days, but the Island of Tristan d'Acunha, being above twenty degrees of latitude south of St. Helena, of course out of the Trade wind, and situated in a generally stormy region, no small vessel or boat could (with

adequate prospect of success) attempt to reach the former Island from the latter.

With reference to the idea of Tristan d'Acunha being taken possession of by any other nation or set of people, as a place from whence to send vessels and endeavour to take off Buonaparte from St. Helena, I have to observe that such vessels must approach the latter Island precisely in the same way as vessels coming from any other part of the world, and though their voyage would be perhaps somewhat shorter, I can see no substantial advantage they would have in making this attempt from Tristan d'Acunha over a similar expedition undertaken from many parts even of Europe and America; nor would it prove half so easy or so short as from Benguela or other anchorages on the coast of Africa where vessels may refit and obtain all the advantages they could look for at Tristan d'Acunha.

Under these considerations therefore, My Lord, I feel myself justified in very readily and most decidedly offering my opinion that (with the view to the security of Buonaparte) there is no importance whatever in withdrawing from, and abandoning altogether the Island of Tristan d'Acunha in conformity with your Lordship's suggestion. I have &c.

(Signed) G. COCKBURN.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 15 *February* 1817.

MY LORD,—I have the honour of enclosing for Your Lordship's information a correspondence which has passed between Lord Melville and Sir George Cockburn relative to the facility which the Island of Tristan d'Acunha, if not occupied by a British Force, might afford to Persons attempting to promote the escape of General Bonaparte. As it appears that in a Naval point of View that Island can in no degree facilitate a communication with St. Helena, I take the earliest Opportunity of communicating it to Your Lordship, and acquainting you that His Majesty's Government have in consequence determined upon withdrawing the Garrison which you had detached for its occupation, and as one

of His Majesty's ships is on the point of proceeding to the Cape, it has been judged advisable that She should on her passage touch at Tristan d'Acunha and convey the Garrison to the Cape, and Orders have been accordingly given to the Officer in command for the execution of this service. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

GEORGE TOWN, 15th February 1817.

MY LORD,—Referring to my dispatch No. 78 on the subject of the resignation of the Reverend Dr. Jones, Colonial Chaplain, I have now the honour to transmit to your Lordship a copy of that gentleman's written notification of the circumstance to the Colonial Secretary, and I have further to inform Your Lordship that Dr. Jones having sailed from hence with his family in the East India Company's ship *Earl of Balcanas*, I have called upon the Revd. Mr. Hough to take upon himself the duties of Colonial Chaplain in Cape Town. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, 16th February 1817.

MY LORD,—The accompanying Memorandum has been put into my hands by the Wurtemberg Minister, with the request that I would obtain the information therein solicited. I have accordingly to request that Your Lordship would send to me the result of the enquiry which you will be pleased to make into the Circumstances stated. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 17th February 1817.

MY LORD,—I have had the honour to receive Your Lordship's Dispatch No. 66 of the 15th October last, and having communicated upon the subject of its Contents with the Lords Commissioners of His Majesty's Treasury I now transmit for your Lordship's information the accompanying Copies of a Letter and its Enclosure which their Lordships have directed their secretary to address to Mr. Goulburn. From this Communication Your Lordship will perceive that it is the intention of the Board of Treasury to submit to Parliament a Bill for laying a small increase of Duty on Cape Wine. I have &c.

(Signed) BATHURST,

[Office Copy.]

*Letter from LORD BATHURST to CAPTAIN CLOETE
at Tristan da Cunha.*

COLONIAL OFFICE, 20th February 1817.

SIR,—It not being judged expedient to retain possession of the Island of Tristan da Cunha, I have to desire that you will return to the Cape of Good Hope together with the Detachment placed under your Command. An opportunity of so doing will be afforded to you by H.M.S. *Conqueror*, which has been directed to touch at Tristan da Cunha on its passage to the Cape. I have &c.

(Signed) BATHURST.

[Original.]

*Letter from J. R. LUSHINGTON, ESQRE., to
HENRY GOULBURN, ESQRE.*

TREASURY CHAMBERS, 20th February 1817.

SIR,—With reference to your letter of 8th ultimo transmitting copy of a dispatch from Lord Charles Somerset relative to the

regulation of the money assessments on the part of the landdrosts of the several districts at the Cape; I have it in command to transmit copy of the report of the commissioners of Colonial Audit dated 28th ultimo on this subject. And I am to acquaint you for the information of Earl Bathurst that under the circumstances stated in Lord Charles Somerset's despatch of 13th September last, my Lords agree in opinion with them that an audit of the accounts of the money assessments on the part of the landdrosts of the several districts at the Cape, in this country, would not be attended with advantage proportionate to the inconvenience which it might occasion. I am &c.

(Signed) J. R. LUSHINGTON.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 21st February 1817.

MY LORD,—I have the honor to acknowledge the receipt of your Lordship's Dispatch No. 70.

As it appears that Prontowski and the other Individuals who had been conveyed from St. Helena to the Cape, had returned to St. Helena on their Way to Europe; and as the chief object of establishing the circuitous passage from St. Helena to Europe by the Cape was thereby mainly contravened, I have to express my hope that your Lordship will take care on any future occasion of a similar nature that the Vessel on board of which any person so circumstanced shall be placed, has for her destination any other place than that of St. Helena. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

GEORGE TOWN, CAPE OF GOOD HOPE,
24th February 1817.

MY LORD,—I lose no time in replying to your Lordship's dispatch No. 73 with enclosure handed to your Lordship by the

reverend Doctor Poynter, Titular Roman Catholic Bishop of London, on the subject of establishing a Roman Catholic Mission in this Settlement.

By the fundamental laws of the Batavian Republic, which were guaranteed to the colonists of this Settlement by the Capitulation upon which it surrendered, all denominations of Christians were not only tolerated but entitled to equal privileges. It has not been very apparent to those of the Roman Catholic persuasion here, why notwithstanding the guarantee which was held out to them, they were deprived of their Clergy shortly after the surrender, although no charge of misconduct or imprudence was alledged against them as far as I have learnt, and I am informed that the circumstance caused much sensation amongst the members of that Body.

At the distance I am from Cape Town at this moment I have it not in my power to give your Lordship accurate information with respect to the number of Roman Catholics here, nor would it be easy so to do even from the Cape, as these people having so long been without clergy, they are scarcely longer known; but I have been informed that the Body of Roman Catholics is numerous, and as there are many Belgians here and some settlers from almost every other Country in Europe, it is probable that it is so, under which circumstances, I doubt not that your Lordship will see no impropriety in sanctioning the object of Dr. Poynter's application. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from JOHN BARROW, ESQRE., *to* HENRY GOULBURN, ESQRE.

ADMIRALTY OFFICE, 25th February 1817.

SIR,—In reference to Earl Bathurst's letter to my Lords Commissioners of the Admiralty, of the 20th instant, respecting the Island of Tristan d'Acunha; I am commanded by their Lordships to acquaint you, for his Lordship's information, that Rear Admiral Plampin is directed to call at the said Island, and to take on

board the *Conqueror* the whole of the garrison and establishment, in order to their removal to the Cape of Good Hope. I am &c.

(Signed) JOHN BARROW.

[Original.]

Letter from the REVEREND A. FAURE to EARL BATHURST.

UNIVERSITY OF UTRECHT, 25th February 1817.

MY LORD,—I trust your Lordship will be pleased to permit me to return my most sincere and humble thanks for the kind answer your Lordship returned to my request, in authorizing my proceeding as a clergyman to the Cape of Good Hope.

As your Lordship has not thought proper to appoint me to the charge of any particular church, I beg leave to submit to your Lordship's consideration, having with others long experienced the great want of it, the importance and propriety of establishing in South Africa a college for the education of young men for the church, which would save them the trouble and expense of a voyage to Europe and a residence of several years at the Universities of this Country.

My course of studies having led me to pay attention to the eastern as well as the western languages and other branches of science, I should feel peculiarly happy in rendering every assistance in my power in carrying such a plan into execution.

Should your Lordship approve of it, and think proper to grant unto me the appointment of Professor, which will not at all hinder me from exercising the functions of a clergyman, I would then beg leave to mention at the same time to your Lordship the name of Mr. Van Oordt, a member of this University, a man of great literary attainments, as a colleague to me in such an arduous task.

I am convinced that the establishment of such an institution will enhance the prosperity of the Colony, and with joy and thankfulness we would ever remember the name of your Lordship in sanctioning it, and as in duty bound we should never cease to pray that every blessing may attend your Lordship in the administration of the affairs of His Britannic Majesty's Government entrusted to your care.

I have the honour to remain, waiting the reply of your Lordship, addressed to me at this University, Your Lordship's &c.

(Signed) A. FAURE.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, *March 4th* 1817.

MY LORD,—I have the honor to acknowledge the receipt of your Lordship's letter of the 24th July 1816 on the 14th ultimo, transmitting to me the instructions of the Lords Commissioners of the Treasury respecting expences incurred on account of the Army on Foreign Stations dated 6th July 1816.

Having a short time previous to your Lordship's dispatch caused a considerable purchase of timber to be made for the use of the Barrack Department here, I feel it incumbent upon me to give this explanation to your Lordship on the subject, trusting that your Lordship will have the goodness to cause the circumstance to be explained at such office, as the accounts of the Commissariat Department here for the period in question will come under examination. I was induced to sanction the purchase of so large a lot at once (at a moment when timber was more reasonable than usual here) to save being subjected to the enormous prices that have at times been demanded when purchasing in retail. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, *12th March* 1817.

MY LORD,—It being extremely desirable to ascertain precisely the different Laws and regulations which apply to the Celebration of Marriages in the different Colonies and Dependencies of Great Britain, I have to desire that You will take in concert with the Law Officers of the Colony under Your Administration the neces-

sary Measures for transmitting to me any Laws, Ordinances or Regulations which may be in force in the Colony with respect to the Form and Manner in which Marriages should be celebrated in order to secure their Validity; and in the event of there being no special Law of the Colony applicable to the Subject, I have to desire that you would state to me the forms in which Marriages have been ordinarily celebrated, and the Opinion of the Law Officers as to the Authority on which such ordinary forms of Celebration rest. I have &c.

(Signed) BATHURST.

[Original.]

Letter from J. R. LUSHINGTON, ESQRE., to HENRY GOULBURN, ESQRE.

TREASURY CHAMBERS, 24th March 1817.

SIR,—I am commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you the enclosed copy of their Lordships' minute of the 11th Inst. on your letter of the 27th January last inclosing copy of a dispatch which has been sent to the Governor of the Cape of Good Hope upon the subject of the financial statement of that Colony, and in case the Earl Bathurst should concur in their Lordships' view of the matter I am to desire you will move his Lordship to convey instructions to the Governor of the Cape of Good Hope accordingly. I have &c.

(Signed) J. R. LUSHINGTON.

[Enclosure.]

Copy of Treasury Minute of 11th March 1817.

Read letter from Mr. Goulburn of the 27th January last transmitting for their Lordships' information copy of a despatch addressed by Earl Bathurst to the Governor of the Cape of Good Hope on the subject of the Financial state of that settlement, and the application of a portion of its revenue in aid of the Military Expenditure thereof.

My Lords observe with great satisfaction that in consequence of

the reduction of the Military Force proposed to be stationed at this settlement in time of peace, and of the state of the Colonial Revenue, there exists a well founded expectation that these Revenues will in future be adequate to defray the greater part if not the whole of the Extraordinary Expenses of the army there.

But it appears to my Lords that, whether the Extraordinary Expenses of the Army on any foreign station be defrayed out of the Colonial Revenues thereof, or out of monies granted by the Parliament of Great Britain, it is equally important that the Expenditure in all its details should be conducted by a Commissariat officer in conformity to His Majesty's Regulations, and under the immediate control and revision of this Board, without which there can be no security that these regulations would be strictly adhered to and that uniformity preserved in the mode of expenditure which is essential to the good of His Majesty's service.

And my Lords do not see any advantage which could result to the public service from this expenditure being removed from their Lordships' immediate control to that of the Governor, inasmuch as an officer or officers must be appointed by the latter to execute the several important services connected with the Expenditure of the Extraordinaries of the army; and my Lords do not conceive that these services would be executed by officers appointed by the Governor at a cheaper rate than that which would attend the employment of Commissaries. My Lords are therefore of opinion that any aid which the Colonial Revenues may be able to afford towards the Extraordinary Expenses of the Army should be paid over from time to time under the directions of the Governor to the Commissariat officer in charge at the Settlement to be expended by him in the manner and under the same regulations as if the funds for that expenditure had been provided by Bills drawn upon their Lordships.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, 27th March 1817.

MY LORD,—Mr. Fagel, who formerly held the situation of Vendue Master at the Cape of Good Hope, has represented to me that from the commencement of the year 1815 until the period at which his resignation of the Office was promulgated in the Colony, the emoluments of the Office which during that period strictly belonged to him were all carried to the public Account and that his Deputy in the Colony received none of those Profits which he had previously to the year 1815 been in the habit of receiving on account of his Principal.

As it was certainly not my intention to interfere with the emoluments of Mr. Fagel's Office during the time that he continued to hold it, I am at a loss to ascertain the grounds upon which this Arrangement received the Sanction of the Colonial Government, and I have therefore to request that your Lordship would report to me the circumstances under which it was authorized in order that if this Transfer of Mr. Fagel's emoluments to the Treasury should have arisen from an erroneous Opinion of his having resigned at an earlier period, Measures may be taken for repaying to him the sum to which as Vendue Master of the Colony he might be entitled. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, 27th March 1817.

MY LORD,—Having caused the dispatch I had the honour of addressing to your Lordship on the 1st of January last, relative to the public Expenditure at the Cape, to be transmitted to the Treasury for the information of the Lords Commissioners, their Lordships have returned in reply a Minute of which I now enclose to you a Copy; and I have to acquaint you that it appears

to me advisable for the reasons therein stated to modify the Instruction given to you in the dispatch above referred to; Your Lordship will be pleased to conform to the arrangement recommended by the Lords Commissioners of the Treasury for paying over to the Commissariat from time to time such portions of the Colonial Revenue as may be available for the general Military Expenditure of the Colony. I have &c.

(Signed) BATHURST.

[Copy.]

Return to an Order of the Honourable House of Commons,
dated 5th March 1817; requiring,

AN ACCOUNT of the Quantity of WINE imported from the Cape of Good Hope, for Five Years, ending the 5th January 1817; distinguishing each Year.

Quantity of Cape Wine imported into Great Britain.

			Tuns.	H.	Galls.
Year ending 5th January	1813	. .	40	2	56
„	„	1814*	. .		
„	„	1815	. .	349	3 55
„	„	1816	. .	1,512	1 4
„	„	1817	. .	1,631	2 21

Custom House, London, 28th March, 1817.

(Signed) WILLIAM IRVING,
Inspector General of the Imports and Exports
of Great Britain.

* The Records of this Year were destroyed by Fire.

[Copy.]

Return to an Order of the Honourable House of Commons,
dated 5th March 1817 ;—requiring,

An ACCOUNT of the DUTIES PAID ON WINE imported from the
Cape of Good Hope, in Five Years, ending the 5th January
1817; distinguishing each Year, and the Duties payable
previously and subsequently to the Act 53 Geo. 3, c. 84.

*Amount of Duties actually paid on Cape Wine
imported into Great Britain.*

		£.	s.	d.
Year ending 5th January 1813	.	1,217	6	10
„ „ 1814*	.			
„ „ 1815	.	3,735	12	3
„ „ 1816	.	5,626	14	10
„ „ 1817	.	23,474	3	11

* The Records of this Year were destroyed by Fire.

The Duties of Customs payable on Cape Wine imported into
Great Britain, previously to the passing of the Act 53 Geo. 3,
c. 84, were,

		£.	s.	d.	
In British Ships	.	43	1	0	per Tun.
In Foreign Ships	.	46	6	0	per Tun.

And subsequently thereto,

In British Ships	.	14	7	0	per Tun.
In Foreign Ships	.	15	8	8	per Tun.

Custom House, London, 28th March 1817.

(Signed) WILLIAM IRVING,
Inspector General of the Imports and Exports
of Great Britain.

[Original.]

Letter from THOMAS LACK, ESQRE., *to*
HENRY GOULBURN, ESQRE.

OFFICE OF COMMITTEE OF PRIVY COUNCIL FOR TRADE,
WHITEHALL, 7th April 1817.

SIR,—In answer to your letter of the 31st Ultimo, relative to the admission of a cargo of American Tobacco imported into the Cape of Good Hope, from the Mauritius, by Messrs. Ebden and Watts, I am directed to transmit to you, for Earl Bathurst's information, the copy of a letter written to the Lords of His Majesty's Treasury, by direction of the Lords of the Committee of Privy Council for Trade, on the 8th January last upon that subject. I am &c.

(Signed) THOMAS LACK.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, 12th April 1817.

MY LORD,—Having caused your Lordship's dispatch transmitting papers relative to the seizure of American Tobacco imported into the Cape of Good Hope by Messrs. Ebden and Watts in a British Ship from Mauritius, to be referred to the Office of Committee of Privy Council for Trade, I have to acquaint your Lordship that it appears by the answer returned by desire of the Lords of the Committee that the subject had already been submitted to their Consideration, by the Lords Commissioners of His Majesty's Treasury, and that the Lords of the Committee in consequence signified their Opinion that under the Circumstances of the Case, it would be just and fair to accede to the Application of Messrs. Ebden and Watts that the Tobacco might be sold and the proceeds lodged with the Customs till the legality of the importation should be decided, and their Lordships recommended that the seizing Officers should be required to state without delay the grounds upon which they considered the importation illegal. I have &c.

(Signed) BATHURST.

RETURN to an Order of The Honourable House of Commons, dated the 5th March 1817;—for
 AN ACCOUNT OF THE VALUE OF ALL IMPORTS FROM THE CAPE OF GOOD HOPE, IN FIVE YEARS,
 ENDING THE FIFTH JANUARY 1817;
 Distinguishing each Year, and the Principal Articles.

SPECIES OF GOODS.	QUANTITIES IMPORTED INTO GREAT BRITAIN.					OFFICIAL VALUE THEREOF.				
	Years ending the 5th January.					Years ending the 5th January.				
	1813:	1815:	1816:	1817:	1813:	1815:	1816:	1817:	1817:	1817:
ALOEES	12,611	31,200	65,455	18,723	183 18 3	455 0 0	954 11 1	273 0 11	273 0 11	273 0 11
Argol . . . . .	..	..	16 2 20	24 2 9	..	..	20 17 0	30 14 6	30 14 6	30 14 6
Beef, salted . . . . .	..	4,343 2 12	..	..	1,485 1 0	4,054 0 8	..	..	..	..
Benjamin	59,402	..	200,143	..	4,536 7 6	..	3,494 6 6	..	..	..
Canes, Rattan . . . . .	..	..	46,591	..	7,124 5 0	..	..	..	..	..
Cassia, Lignea	60,485	..	..	..	4,498 12 6	34,427 11 3	..	..	..	..
Cloves	28,537	..	..	..	3 0 0	59 3 11	5,667 0 0	73 0 0	73 0 0	73 0 0
Elephant's Teeth	69 3 6	4,918 0 25	809 2 8	10 1 20	498 12 6	3 0 0	281 17 0	1,091 11 5	1,091 11 5	1,091 11 5
Feathers, Ostrich	0 2 0	9 3 13	46 3 26	181 3 20	5 18 11	50 3 6	185 3 6	222 17 3	222 17 3	222 17 3
Hides, Raw	9 14 4	83 10	308 10	371 7	540 13 0	796 5 0	1,035 0 0	1,103 11 0	1,103 11 0	1,103 11 0
Indigo	1,545	2,275	2,960	3,153	483 3 9	32 14 6	..	..	..	..
Oil, Train	605	233	..	..	1,458 2 4	6,713 13 2	3,246 9 10	1,700 4 3	1,700 4 3	1,700 4 3
Pepper	112 0 41	463 1 52	249 2 58	130 3 9	1,452 12 4	1,558 4 6	1,962 1 4	..	..	..
Rice	88,957	2,077 2 15	117,724	0 0 14	..	..	104 6 0	1 11	1 11	1 11
Sago . . . . .	..	..	10 1 16	39	..	..	379 0 0	9 9	9 9	9 9
Salt Petre . . . . .	..	..	63 2 18	..	6 6 0	36 15 0	18 3 0	7 13 0	7 13 0	7 13 0
Sea Horse Teeth . . . . .	..	245	121	..	14 11 8	593 18 4	668 16 8	508 0 0	508 0 0	508 0 0
Skins, Goat, Raw	14 7	593 11	568 10	505 0	..	48 18 10	48 18 10	..	..	..
— Kid, Undrest . . . . .	..	3,059	3,059	..	..	203 15 10	219 8 4	16 17 6	16 17 6	16 17 6
— Seal . . . . .	..	..	5,266	405	..	537 19 0	1,075 16 8	1,121 9 4	1,121 9 4	1,121 9 4
Sprits, Undrest	4,526 7	2,1689 9	5,379 2	5,607 4	905 6 4	2 6	1,285 15 0	1 2 6	1 2 6	1 2 6
Sugar,	1	..	10,286	9	..	..	1,816 4 9	3 8 9	3 8 9	3 8 9
Tamarinds . . . . .	..	..	1,920 3 17	2 2 0	..	..	65 11 4	..	..	..
Turneric . . . . .	..	19	12,589	..	..	..	25 10 7	..	..	..
Wax, Bees	21 1 20	..	2,451	..	101 15 8	..	1 18 2	616 7 2	616 7 2	616 7 2
Whalebuss	237 1 20	185 3 25	306 2 25	77 0 5	1,899 8 7	1,487 15 8	2,453 15 8	61,071 3 6	61,071 3 6	61,071 3 6
Wine, Cape	37 0 23 4	341 1 21	1,501 1 25 4	1,621 1 14 3	1,169 3 9	10,752 0 0	47,292 18 9	85 1 1	85 1 1	85 1 1
Wine, of other Sorts	0 3 46 4	0 0 2	..	0 3 51 4	3 3 57 3	3 11	20 0 11	..	..	..
Wood, Ebony	6 14 0 24	..	..	0 1 0 8	110 14 6	..	..	17 8	17 8	17 8
Wool, Cotton	116,145	..	2,084	..	3,358 7 11	..	60 15 8	..	..	..
Wool, Sheep	104 1 7	173 0 21	208 2 11	85 3 19	293 2 10	484 18 6	584 1 6	240 11 6	240 11 6	240 11 6
All other Articles . . . . .	..	..	..	..	959 18 7	906 10 9	782 2 10	813 6 6	813 6 6	813 6 6
				TOTAL	26,270 8 11	63,199 14 4	73,719 8 6	55,981 16 6	55,981 16 6	55,981 16 6

Note.—The Records of the Year ending 5th January 1814 were destroyed by Fire.

Custom-House, London,
 14th April 1817.

(Signed) WILLIAM IRVING,
 Inspector Genl. of the Imports and Exports of Great Britain.

[Copy.] RETURN to an Order of the Honourable House of Commons, dated 5th March 1817;—*for*
AN ACCOUNT OF THE VALUE OF ALL EXPORTS TO THE CAPE OF GOOD HOPE, IN FIVE YEARS,
ENDING THE FIFTH JANUARY 1817;

Distinguishing each Year, and British Produce and Manufactures from Foreign and Colonial Merchandise.

SPECIES OF GOODS.		OFFICIAL VALUE OF BRITISH Produce and Manufactures exported from Great Britain.				SPECIES OF GOODS.		OFFICIAL VALUE OF FOREIGN AND COLONIAL Merchandise exported from Great Britain.					
		Years ending 5th January.						Years ending 5th January.					
		1813:	1815:	1816:	1817.			1813:	1815:	1816:	1817.		
APPAREL.	£. 2,705	£. 1,688	£. 2,655	£. 2,162	IRON in Bars	£. 65	£. 3,866	£. 1,024	£. 443				
Beer	826	1,485	1,228	1,206	Linen, Foreign	208	760	305	653				
Books printed	369	1,478	480	314	Opium	98	811	..	15				
Brass and Copper Manufactures	755	1,579	1,819	4,032	Piece Goods of India . . . . .	..	9,907	10,646	214			
Cabinet and Upholstery Wares	2,072	2,360	3,875	4,657	Spirits, Brandy,	169	3,043	3,708	10,969				
Cordage	324	228	873	1,686	— Geneva	94	5,962	4,009	4,064				
Cotton Manufactures	136,320	79,415	34,254	57,540	— Rum	1,301	137	235	2,605				
Glass and Earthenware	2,070	3,608	3,099	690	Tar	163	362	209	645				
Haberdashery and Millinery	305	759	559	3,393	Tobacco	319	4,197	1,801	3,637				
Hardware and Cutlery . . . . .	..	2,071	3,316	5,428	Wines	1,661	4,197	1,801	3,637			
Hats of all sorts	3,962	7,836	7,824	17,743	All other Articles	1,168	3,513	2,322	2,171				
Iron and Steel, wrought and unwrought	7,134	11,459	11,824	2,296	TOTAL	5,246	32,558	26,152	26,357				
Leather, wrought and unwrought	1,176	1,813	2,016	3,188	Value of British Produce and Manufactures, exported to the Cape of Good Hope, brought forward.	210,138	189,940	145,367	187,739				
— Saddlery and Harness	787	995	2,016	2,938	TOTAL Official Value of Exports to the Cape of Good Hope	215,384	222,498	171,519	214,096				
Linen Manufactures	1,612	2,491	4,636	2,519									
Musical Instruments	513	2,914	1,060	3,116									
Painters Colors and Materials	2,351	7,533	2,768	1,547									
Pickles and Sauces	679	582	1,061	3,372									
Plate, Plated Ware, Jewellery, &c.	2,236	3,138	2,876	2,049									
Silk Manufactures	1,347	3,576	1,966	5,790									
Slops	5,374	2,721	5,152	2,973									
Stationery	1,966	4,332	3,404	1,421									
Tin and Pewter Ware	1,185	1,776	639	13,141									
Wood, viz. Staves	3,781	8,712	5,942	24,442									
Woollen Manufactures	18,716	21,989	24,123	17,586									
All other Articles	11,573	16,432	15,619	187,739									
TOTAL carried forward.	210,138	189,940	145,367	187,739									

Note.—The Records of the Year ending 5th January 1814, were destroyed by Fire.

Custom-House, London,
14th April 1817.

(Signed) WILLIAM IRVING,
Inspector Genl. of the Imports and Exports of Great Britain.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 16th April 1817.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's dispatch of the 23rd January announcing the Arrival at the Cape of Count Las Casas and his Son, and stating the embarrassment which you feel with respect to them in consequence of the Instructions which you had previously received as to persons quitting St. Helena not appearing to your Lordship to apply to those whose criminal Conduct at St. Helena had been the cause of their removal from that Island.

In reply I have the honour to acquaint you that as the Removal of Count Las Casas from St. Helena arose from his own determination to proceed to the Cape, after he had refused the Offer more than once made to him by Sir Hudson Lowe of remaining with General Buonaparte, I cannot but consider him as falling strictly within the Instructions which I had the honour of conveying to you in my dispatch No. 46 of the 9th February 1816, and altho' I duly appreciate the Motives which induced your Lordship upon a Knowledge of Count Las Casas' Conduct to view his removal in a different Light, yet the circumstances of his Misconduct do not appear to me to require that he should be subjected to any other restriction as to his future proceedings than those which you were in the Instructions already referred to, authorized to apply to such of General Buonaparte's Attendants as might arrive at the Cape of Good Hope. I have &c.

(Signed) BATHURST.

[Copy.]*Government Advertisement.*

His Excellency the Governor having been called to the Frontiers of this Settlement by the frequent and daring outrages and depredations committed on the Colonists by the People of

the Caffre Nation, deemed it expedient to invite the Caffre Chief Gaika to a conference, in order to demand his aid in repressing the outrages committed by his People and those of the Chiefs under him, and at the same time to notify to him the vigorous measures His Lordship was determined to adopt in future, and the retribution he should henceforth require for any depredation committed.

This conference took place on Wednesday the 2nd instant, and His Excellency has much satisfaction in announcing, that the Caffre Chief not only pledged himself in the most unequivocal and unreserved manner, to aid His Lordship in procuring retribution for any depredation henceforth committed, but to punish the depredators with death.

In order to give the fullest publicity to the measures about to be adopted, and thereby, he trusts, to instill confidence into the minds of the Inhabitants, and induce them to form Settlements on the borders of the Great Fish River, particularly that part of it called the Zuureveld (unrivalled in the world for its beauty and fertility,) His Lordship has directed the following Letter (which he caused to be addressed to the Landdrost, Deputy Landdrost, and Heemraden of the District of Uitenhage) to be published, and he cherishes a confident hope that not many years will elapse, ere this valuable portion of His Majesty's Possessions will, by its own encreased population and physical strength, prevent those evils, which His Excellency is at present determined to defend it from, by a strong and vigilant Military Force, aided by that spirit and activity of the Inhabitants themselves, which they have shewn on all occasions.

To the Landdrost, Deputy Landdrost, and Heemraden of the District of Uitenhage.

SOMERSET, BRUINTJES HOOGTE, 29th March 1817.

GENTLEMEN,—His Excellency the Governor having considered, that the surest way of repressing Caffre Depredation will not so much depend on the Military Force stationed on the Frontier, as in the exertions and confidence of the Inhabitants themselves, which they will best evince by re-occupying as speedily as possible their deserted habitations in that vicinity, has directed me to call

your most serious attention to this subject, and from the result to require of you to use every endeavour in your respective neighbourhoods, to convince the former Occupiers of Lands on this Frontier, of the safety with which they may now repair to their old abodes; while to younger Men you will be able to point out the advantages they will derive from establishing themselves in the most fertile part of this Settlement, upon terms such as other parts of the Colony do not hold out, which terms will hereinafter be further detailed. Your Landdrost, who has accompanied His Excellency along the whole line of the Frontier, (and from whose local knowledge His Excellency has derived the greatest assistance), will have it in his power to explain to you the efficacious steps which His Excellency has taken, for the disposition of the Military Force, so as to afford the promptest and most effectual assistance to all parts of the Line, in case of intrusion from our hitherto restless neighbours. He trusts, that even that assistance will not be necessary, but that the vigilance with which the front line will be in future watched, will deter the intruders (should the means His Excellency is now resorting to in his visit to Caffreland, not entirely have the effect he expects,) from attempting future marauding. No doubt, however, would exist on the subject, were that fertile spot, the Zuureveld, peopled as it is calculated to be, with men superior beyond comparison to those Savages who have plundered them so grievously, and rendered their abode there as irksome as unprofitable.

His Excellency, therefore, in the view of inducing Settlers to repair to the vicinity of the Frontier, has been pleased to decide :

1. That the Landdrost shall be authorised to assign a proportion of waste Land to any Person wishing to hold it, situated to the Eastward of the Bosjesman's River, in the district of Uitenhage, adapted to the wants and means of the Applicant; thus a Father of a Family, having grown up Sons, or other Relations residing with him, whose means would enable such Relatives to occupy Land apart on their own account, may have the quantity of Land he is permitted to occupy encreased, in proportion to the number and means of such Relatives; it will be evident, that such associations will be the greatest security, and it is evident, by many examples within the knowledge of each of you, that such associations even under less favourable circumstances, have been unmolested.

2. These Lands will be granted to the Occupiers at a Rent now to be fixed, which Rent, however, will be remitted for the first 10 years; and at the expiration of 3 years, (during which the party, or his family, must have resided on the Estate), the Land shall be measured at the expence of Government, and the holder shall obtain (without fee) his title thereto, on Perpetual Quitrent; subject, however, to this clause beyond the usual reservations: that the Land shall become forfeited to the Government, in case the party shall abandon the Estate, and cease to reside or occupy the same.

3. Parties wishing for Grants in the District here mentioned, will not be necessitated to make a direct application to His Excellency the Governor, as in other cases; but it will be sufficient for them to address the Landdrost, pointing out where they propose to settle, and the authority of the Landdrost shall be sufficient warrant to the party of the intention of His Majesty's Government in his regard.

4. The Landdrost is however to be particularly cautious in the distribution of ground, so to preserve Waters, that the most extensive accommodation possible may be afforded in that regard to future Settlers, the necessity of which must be obvious, from the supposed scarcity of Springs in the Districts in question.

5. In order likewise to obtain the most accurate information possible, with respect to Springs in the whole of this District, the Landdrost is called upon to give the greatest publicity to the Proclamation issued, offering rewards for the discovery of Springs proportioned to their strength.

6. The Landdrost will communicate to the Colonial Secretary, quarterly, a List of Persons taking Lands under this invitation, and describing, as accurately as possible, the situation of the occupancies.

His Excellency trusts, Gentlemen, that you will see, in these Regulations, an additional proof of the interest he takes in the welfare of the good Inhabitants of the District of Uitenhage, and of the sincere pleasure he feels in having it in his power to contribute thereto. He relies entirely upon your co-operation in inspiring that confidence among your fellow Citizens, so necessary to our future success; and recommending you to the peculiar protection of an All-disposing Providence he leaves this District in the full assurance, that he has it in his power to report to His

Majesty's Government in Europe, that there is not a District of the Colony more loyal, or more zealous for the interests of our common Empire. I have &c.

(Signed) C. BIRD.

Cape of Good Hope, 18th April 1817.

By command of His Excellency the Governor.

(Signed) HENRY ALEXANDER, Colonial Secretary.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 19th April 1817.

MY LORD,—I have the honour to acknowledge the receipt of your dispatch No. 72 intimating the Nature of the Arrangements which have been made for carrying on the duties of the Office of Vendue Master at the Cape and to assure you that they meet with my entire Approbation.

With respect to the period up to which Mr. Fagel is entitled to receive the profits of the Office in question, I have only to refer you to my dispatch No. 14, which was written previously to the receipt of Your Lordship's of the 10 of January, and from which you will perceive that I had already acquiesced in Mr. Fagel's being permitted to receive the Emoluments of the Vendue Office until the date at which his resignation was made known in the Colony. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 20th April 1817.

MY LORD,—I do myself the honour to acknowledge the receipt of your Lordship's Dispatch No. 77 of the 25th January last, and at the same time to acquaint you that the Advertisements issued under Your Lordship's Authority, between the above date and the

18th of May 1816 have been approved of by His Majesty's Government. I have &c.

(Signed) BATHURST.

[Original.]

Letter from CAPTAIN CLOETE to LORD CHARLES SOMERSET.

SOMERSET CAMP, TRISTAN DA CUNHA,
April 23rd 1817.

MY LORD,—In my first dispatch to your Lordship I have endeavoured to describe the difficulty attending the removal of every article from the landing place to that part of the Island marked out for the buildings; as soon therefore as the Island had been put in the best state of defence which the means placed in my power could afford, by the construction en barbette of a Battery commanding both the anchorage and the entrance into Falmouth Bay, and another small Bay, the only one in which ships can water, as well as the construction of another Battery to defend the only practicable ascent to the top of a nearly perpendicular cliff which surrounds the Island, and the surface of which forms that part of the ground capable of cultivation, my first care was to facilitate the removal of the stores, building materials, &c., by forming a good road, tho' this over a country intersected in all parts with numerous watercourses of great depth became a work of much labour and necessarily tedious from the want of miners or tools used in blasting rocks, which we were consequently compelled to remove by manual strength, great masses of basalt of the nature of porphyry lying scattered over all parts of the country, forming innumerable obstacles to the accomplishment of this work. However difficult the task was, the road has now been carried from the landing place to the buildings, and it is my intention to continue it (when time shall have become less precious) as far as the Government farm two miles distant. Everything can however now be removed very readily and the works have been consequently much forwarded, particularly so since the timely arrival of the oxen by the Brig *Alacrity*.

A large store house and coaching house for the men are finished, and the whole of them well lodged in huts, which have prevented

the necessity of first completing that part of the Barracks intended for their occupation. I have therefore commenced the Officers' Quarters, which will be ready about the beginning of June. I was the more anxious to see these finished, as the officers still remained under canvas, which at no time afforded great protection against the constant heavy rains and winds of these latitudes, but being now quite worn, give scarcely any shelter.

Notwithstanding the continued wet which Your Lordship will perceive by the account of weather in the journal, to which the men have necessarily and constantly been exposed, it gives me the greatest satisfaction to be able to report to your Lordship that with the exception of accidental hurts, not a single individual has been ill, since the first occupation of these islands; this remarkable healthy state of the detachment under such circumstances, and having to subsist principally upon salt provisions, I chiefly attribute to the even state of the atmosphere, and the habits of constant employment which they have acquired.

Much as it was necessary to finish the buildings and other public works before the commencement of the winter season, I have not lost sight of the necessity of bringing a certain quantity of land into immediate cultivation; about ten acres have therefore been cleared, ploughed, and are ready to receive the grain, when ten more acres shall have been added, which will be the case before the end of June, it is my intention chiefly to sow wheat, and from my observation as to the extraordinary fertility of the soil, I feel confident that this proportion of land will not only yield sufficient to supply the wants of a far greater number of men than at present occupy the Island, but will also furnish ample supplies to any number of vessels which might touch here, and that they would be numerous, whenever the easy manner of watering as well as the certainty of finding any refreshment required by shipping, shall become matter of notoriety, I entertain no doubt, from the number of ships (at present amounting to nearly twenty) which have (led only by accident) already made these Islands on their outward bound passage. Among these I have particularly to call your Lordship's attention to those belonging to foreign powers, of these two American, one French, and one Dutch have touched, they all expressed themselves, in terms of the greatest surprise that their respective Governments should not have taken possession of an Island which nature seemed to

have placed so immediately in the track to the East, and in such a peculiar situation, as nearly to divide in two equal parts so long a voyage. That it would be a possession of the greatest importance, to any power at war with Britain appears evident, and perhaps no circumstance can more clearly point out this fact than that during the last short American war seventeen vessels under the American flag, principally privateers, watered and refreshed here, which enabled them to keep the seas for any length of time, and thus put into their power the means of materially injuring our Indian trade. These vessels, thus refreshed, infested the South Atlantic, and carried their daring depredations on our trade I may say into the very bays of our South African Possessions. The American sloop of War *Hornet* remained here three months in daily expectation of being joined by a strong squadron, which had sailed from different ports of the American States and were to rendezvous at Tristan da Cunha, for the purpose of intercepting our Homeward bound fleet ; during this time the *Hornet* took and destroyed H. M. Sloop *Penguin* and captured some whalers.

Tho' the anchorage, from the rocky nature of the ground, is not safe, this might easily be rendered so, by anchors with chain cables being laid down ; a small Port due, levied upon ships anchoring, would soon defray this expence. Vessels moored to these cables might slip with great facility at the approach of stormy weather, and as gales (tho' they frequently occur) still scarcely ever continue beyond 24 hours, they might again return the following day, without much inconvenience, or would, should they have obtained the refreshments they stood in need of, proceed on their voyage, without incurring the loss of anchors and cables.

The botanical productions of this Island seem few and of little value. The Orchilla, tho' of a most superior quality, exceeding in brightness of colour the best obtained from the Canary Isles, is not found in sufficient quantities to render the collecting of it profitable. The tree of the Island (Philica) is unfit for any other purposes than fuel, being tho' hard, heavy and close grained, excessively brittle, and subject to almost immediate decay.

To the mineralogist the Island presents a wide and most interesting field, as perhaps few parts of the world produce a greater variety of fossils and minerals, and none seem so well worth the peculiar attention of the geologist ; the relative position

of primitive and other strata with an extraordinary mixture of volcanic productions offering ample subject for his theories.

The journal of the daily occurrences accompanies this dispatch.

From the almost insurmountable obstacles which present themselves, the survey of the Island has not yet been accomplished; the attempt to round the Island has been twice made, but owing to sudden storms, the boats were both times forced, with considerable danger, to be run on shore. I have &c.

(Signed) A. J. CLOETE, Capt. Comdg.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE TOWN, CAPE OF GOOD HOPE,
24th April 1817.

MY LORD,—On the 23rd of January last I had the honour to acquaint your Lordship of my intention to avail myself of the leisure the arrival of Major General Hall afforded me to visit the Eastern frontier of the Settlement, with the view of establishing some system for repressing the frequent inroads of our savage neighbours, and by personal inspection of the Border to decide how far it might be practicable to reduce the Military Force employed in that Quarter and thereby reduce the general expenditure of the Settlement.

I now beg to notify to you my return on the 21st instant, and to call your Lordship's attention for a few moments to the state of our Eastern Border. Previous thereto, permit me generally to express to your Lordship the satisfaction I derived in my Tour through the Settlement in observing the growing industry throughout, and in most parts its concomitant result, increasing prosperity. In some parts, however, of the Eastern Coast, the failure of rain for two seasons had caused great distress, the farmers in great part of the District of Swellendam and the Western part of that of George not having this year reaped the seed sown. I dwell with particular pleasure on this remark as to industry of the Settlers, because from previous reading and from hearing the contrary opinions of many who had travelled through this Country without

making allowances for the peculiarity and the nature of the climate on the avocations of a peasantry whose wants do not call them to constant agricultural labours, I was not prepared to meet, as I have done throughout, an energetic, hardy, and active race of men, courteous to each other, and hospitable to strangers, far beyond what our habits induce us to expect.

The New Towns which have been founded of late years are fast rising into notice. At Caledon the salubrious Baths will ensure a resort not only of the Invalids of this Settlement but of those from India, the waters being found to be of the greatest efficacy in the complaints incident to persons who have long inhabited warm climates. George Town founded also by Lord Caledon is rapidly increasing, and being in the centre of a beautiful, fertile, and extensive arrondissement, it will in very few years be the most populous of our internal Settlements, it has been greatly benefited by a road made by my directions across the mountains into the Lange Kloof, the most opulent part of the Interior, consisting in a fertile vale near 100 miles in length, well watered and extremely productive; this road affords also a direct communication from the whole of the interior on the Eastern side with Mossel Bay, the best of the inlets of the Eastern Coast. Graaff Reinets more inland far, is already very populous and three new streets are there in considerable progress. The Town of Uitenhage has not increased in the same proportion, and although its situation is excellent, yet hitherto there have been impediments to its success, which I sincerely trust more quiet will in a short time remove.

It is in your Lordship's recollection that the aggravating conduct of the Caffre people during the periods of the administration of my two predecessors and the completion of the aggravation in their intercepting and murdering the Magistrate of Graaff Reinets Mr. Stockenstrom with 13 or 14 persons who were with him, had necessitated (what the preceding British and Batavian Governments had foreseen would ultimately be the result) the entire expulsion of the Caffre intruders under the Chiefs Congo and 'T Zambie from the limits of the Colony. This measure, which was effected with much greater facility than could have been expected from a view of the fastnesses they occupied and from a knowledge of their perseverance in concealing themselves in almost impenetrable thickets, gave room to suppose that when once they were again settled in their own country, a stop would

be put to that system of marauding which they had antecedently so systematically pursued. The liberality with which this Government treated these savages in restoring to them the whole of their herds which had been captured, and the repeated assurances received from them of their determination thenceforward to live upon peaceable terms with the Colonists, induced a hope that our Settlers might once more in safety reoccupy their deserted fields and rebuild those habitations which the intruders had with unrelenting and indiscriminate severity burnt to the ground. The temptation must have been strong and the confidence great which could have induced men to the risks which a residence near the Barbarians necessitates. The temptation is that of inhabiting by far the most beautiful and fertile part of this Settlement. I know not how to give an idea of it, unless by saying that it resembles a succession of Parks from the Bosjesman's to the Great Fish River, in which upon the most verdant carpet Nature has planted in endless variety. The soil, well adapted to cultivation, is peculiarly fitted for Cattle, and the pasturage is entirely free from those noxious herbs and plants which render many other parts of the Colony unprofitable to the breeders. Hence it is that so long as our Settlers possessed these pasturages, cattle was in abundance and consequently cheap, and that we have severely felt throughout the Colony, both in price and quality, the necessity they have been under of abandoning them. The support the settlers who reverted to the Zuurveld received from the Military stationed amongst them gave them a confidence which was increased by the security in which the Caffers permitted them to remain for some time subsequent to their expulsion, but this tranquillity did not last. Small parties of stragglers again made their way into the Colony, hid themselves in the thickest woods, and approaching the residences of the Settlers towards evenings, watched a favourable opportunity of darkness to force the cattle pens and drive off the herds while the herdsman or the farmer himself, who tended them, was thought fortunate if he escaped with life. These depredations in a short time had amounted to upwards of 3600 head of cattle stolen, when I found it necessary to repair to the spot to see what measures could be taken under circumstances so alarming, not only on account of the Colonists themselves, but on account of the supplies which go from hence to the Isles of St. Helena, Tristan, and Mauritius. In the single District of

Albany I found that of 145 families which had been established there, 90 had been forced in the last 18 months to abandon their dwellings, and that it was probable (terror was so general) the remainder would shortly fly, leaving that fine District once more a desert.

I trust the view I have taken of these circumstances and the measures I have adopted in consequence will meet your Lordship's approbation.

It struck me to be necessary to make the Caffers themselves interested in putting a stop to the plunder of the Colonists. There were two ways of endeavouring to effect this, the one (which was the popular one) was by entering the Caffer territory and making an indiscriminate example of the first Caffers who should be met with, and thus strike such a terror into them as should prevent their future molestations by a consideration of their consequences; the other, to hold out lasting advantages to them from a more friendly intercourse with the Colonists, shewing their Chiefs at the same time the easy access we had to their abodes and the facility with which we might, if necessary, exert that power which they should see we possessed. The latter was the plan I embraced, and I took early steps upon my arrival on the frontier for assembling a sufficient Military force, aided by a considerable proportion of armed Inhabitants, to meet and by our formidable appearance in some measure to overawe the Caffer Chiefs in their own Country.

The authority of Gaika long considered to be principal Caffer Chief had been for some time on the decline, the disputes and wars which occurred after his attaining his Majority with his Guardian and Uncle 'T Sambie, who had usurped his command, though now at an end, had in their consequences so weakened that Chieftain as to enable several to assert their independence. I availed myself of this circumstance, and by adopting a line calculated to give him weight with the whole Caffer people I trust I have made it his interest to adopt my views, and it will appear to your Lordship from the Minutes of the Conference which took place with the Caffer Chiefs and which I have hereunto annexed, that Gaika expressed the greatest satisfaction at the arrangements which I had suggested. It had been understood that the Caffers were in great want of Iron and Copper and that they wished to obtain these from the Colony; ever since their expulsion all intercourse has been strictly prohibited. I have now, however, permitted Barter

with them at Grahams Town under certain restrictions, and given to Gaika only the privilege of granting passports for entering our territory. In return for these advantages I have secured the assent of the assembled Chiefs to a system of retribution in case of future depredation, which your Lordship will see developed in the Minutes above alluded to.

The Trade or Barter hereby to be commenced may not in the first instance be of any particular importance, but when it is considered that the Caffre people are very numerous and that they are only the barrier between us and far more populous nations, it is fair to hope that with time the intercourse may become profitable and interesting, and that by means of it civilization and its consequences may be introduced into countries hitherto barbarous and unexplored. It is fair also to predict that many discoveries useful to science may be the result. I felt however that it was not to the assertions and promises of a Barbarous People that I was to commit the interests of those who had been so recently taken under the powerful protection of the British Government, but that while I endeavoured by fair means to avert the evils which had accumulated upon them, they were at the same time entitled to all the military support which the reduced state of my Command would enable me to afford them and their infant necessities required. I was strengthened in this reasoning by perceiving that the obvious mode of preventing successful depredations, by adopting a line which should almost to a certainty prevent the egress of marauders with their plunder from our territory had not hitherto been acted upon and that the defence of the frontier had rested upon a treble chain of unconnected, insulated posts, without the aid of cavalry (the arm best calculated for the nature of the country), leaving to the enemy the great advantage of a night's march, or rather run, in advance, in their retreat to the Border. The Country is peculiarly calculated for speedy conveyance of intelligence by signals, I have consequently given directions for notice of depredations to be immediately communicated by such to the chain of posts on the Fish River, which I have strengthened and increased, while I have reduced in number and in strength those in the rear, considering the armed peasantry sufficient for their own internal protection. I rely also strongly for recapturing any cattle which notwithstanding the precautions directed in my

letter to Lieut. Colonel Cuyler (a copy of which with its enclosures are herewith transmitted) may nevertheless evade the vigilance of the patrols, upon the promptitude with which the marauders may be pursued into Cafferland over the finest champaign country in the world, by the strong detachments of cavalry which your Lordship will see from the details enclosed in my instructions to Lieut. Colonel Cuyler, I have placed at those points which seemed most proper for their exertions. This arrangement has necessitated my adding 100 horses to the number of mounted Dragoons. I had previously from motives of economy reduced the number of horses of the 21st Regiment to 550, but a personal inspection of the Frontier has shewn me how essential cavalry is to its defence. The banks of three great rivers which intersect the Uitenhage District are indeed most close and woody, but there are between them vast and beautiful plains which must be crossed before fresh shelter is attained and the banks of the Great Fish River (except in partial spots) are peculiarly adapted for cavalry movements.

With all these precautions I should now deem the Frontier secure from Caffer incursion, and I should rest satisfied on that head did I not anticipate the inconvenience which may arise from the absence of so large a proportion of the Troops under my command from the more immediate services for which it is probable the reduced strength of this Garrison has been calculated. It has also forcibly struck me that where the population is sufficiently numerous to afford itself protection from its own body, its peculiar interests should be entrusted to itself, without calling in the aid of regular troops. It has been therefore a principal object with me to hold out such temptations to the settling of the Border as afford the strongest reason to look forward to a rapid settlement of this Frontier, as your Lordship will observe by a perusal of my public notification on this head, so that by keeping up the chain of Military Posts for a limited period, they shall give time to Settlers to establish and organize themselves in safety, after which the Military may be gradually withdrawn. That my prospects on this head are likely to be realized I infer from the rapidity with which the Country to the Westward of the Sunday River was settled after the expulsion of the Caffers from the Colony, so that, although the new settlers have been overrun and ruined, as I have before described, yet those alluded to have been

sufficiently strong not to fear molestation, and are rebuilding rapidly and substantially those habitations which had been previously burnt and destroyed from the last mentioned River quite into the Lange Kloof. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure A in the above.]

Memorandum.

The object of His Excellency the Governor's visit to the Caffre chief Gaika is entirely of an amicable nature, it is for the purpose of renewing and cementing that friendship which exists and ought to continue between neighbours, it is to consult Gaika upon the best means of preventing those robberies which continue in such numbers as to make the Colonists very uneasy and to be likely to disturb the harmony which ought to be encouraged by every means; it is to ascertain by what means the Colonists can be useful to the Caffre people, and to establish certain places and times where and when an amicable intercourse for their supply may be carried on; it is to call upon the petty Chiefs to send in the plunder which they have collected, and to hold out to them certain rewards, provided they faithfully protect the property of the Colonists; but to communicate to them His Excellency's firm determination to put a stop to these excesses in future; that in consequence of such determination His Excellency thinks it right and just that the inferior Chiefs should be aware that these robberies will in future not be suffered to pass with impunity, but that, should the Robbers evade the increased diligence of the Protectors of our Frontier, they will be pursued into Caffreland and their plunder wrested from them by that strong force which the Caffre chiefs know to be sufficient for any object it may have in view. Finally it is His Excellency's wish to assure Gaika that he will at no time admit of the slightest encroachment of the Colonists on his territory, and that he will punish in the most exemplary manner all persons who shall trespass upon or molest the Caffre people or property.

By His Excellency's command.

(Signed) C. BIRD, Deputy Col. Secretary.

[Enclosure B in the above.]

Minutes relative to a communication with and of a conference between His Excellency Lord Charles Somerset and the Caffer Chief Gaika at the Kat River on the 2nd April 1817.

His Excellency the Governor having on the 29th March assembled a sufficient Force at Van Aardt's on the Great Fish River for the purpose of proceeding to the Kat River to meet the Caffer Chief Gaika according to a communication of his intention so to do, which he had made known to that Chief upon his first entering the Uitenhage District, marched on the 30th to the Kagha River, where the Troops bivouacked for the night. The next day His Excellency proceeded to the plains of the Karauma, where he halted for the second night, and the third day he reached the Kat River.

Apprehensive that Gaika should be reluctant to meet him in consequence of his being so numerously attended, His Excellency sent forward Major Fraser of the Cape Regiment to give to Gaika such explanations as should tend to quiet any alarm which might have been thereby caused, and he gave the Major a written Memorandum to serve as instructions, a copy of which is hereunto annexed. Major Fraser returned on the 1st of April, joining His Excellency previous to his arrival at the Kat River. Gaika had appeared very undecided as to the part he should take, and upon the whole had expressed an unwillingness to meet the Governor, in which he seemed encouraged by his uncle 'T Zambie and some other Chiefs who were with him. It had been previously said (which reached His Excellency's ears thro' Mr. Williams the Missionary) that His Excellency was coming to revenge the death of Mr. Stockenstrom, the Landdrost of Graaff Reinet, and Kaassa, one of the principal perpetrators of that murder, and who is said to have thrown the first spear at him, was with Gaika at the time Major Fraser arrived there. The explanations of Major Fraser and the assurances he gave of His Excellency's pacific intentions, decided the chief to agree to the interview, bringing with him as many other chiefs as he could collect, and in the evening of His Excellency's arrival Gaika sent a deputation of 4 persons to the Governor to say he was ready to come to him whenever it should be convenient to receive him; as the day had turned out extremely

wet, it was decided to postpone the interview to the following morning. On the 2nd the same deputation returned early to notify to His Excellency that Gaika had been advised not to give him the meeting, and that he should therefore return to his house with his people that day; they expressed Gaika's uneasiness at the strong force His Excellency had with him, but recommended that fresh assurances should be sent to him of His Excellency's friendly views and of his personal safety. Major Fraser was therefore again sent, and at length persuaded the Chief to come to the British Quarters.

About 11 o'clock in the forenoon of the 2nd of April Gaika with a numerous escort and several other chiefs came to the opposite bank of the Kat River to that on which the British Force was stationed. The Troops were drawn out in line to receive him, leaving a space in the centre for a Marquee in which the proposed conference was intended to take place; the walls of the Marquee were thrown down in order that the conference should be as public as possible, and that all the Caffer attendants upon the Chief should hear what passed and know and disseminate the result. A second hesitation took place however when the Caffer chief arrived on the left bank of the Kat River, many of his people were alarmed at the Troops in line, and actually left their Chiefs to fly to the hills. A guard of about 300, however, well armed with assagais, formed a square about him, and it was necessary to renew the assurances of his safety before he would be persuaded to cross the river. The Landdrosts therefore of the frontier districts (both known to the chief) and Major Fraser went to him and decided him, they crossed the river together, and walked arm in arm with the Chiefs Gaika and 'T Zambie to the Governor's Marquee, several other chiefs followed. The Caffer guard had opened into line, and now brought up the rear.

Mats had been spread for the reception of the chiefs; Gaika was placed on the right of His Excellency's chair, next to him was seated 'T Zambie, then Botma, Enno, Macommo, Jalousa, and others. The Caffer guard seated themselves in a semicircle immediately behind their chiefs. Whatever fears Gaika may have entertained previous to entering the British Lines, he now shewed none; his countenance was expressive, his deportment firm, and his answers well weighed and wary. The questions were put by His Excellency in English, they were translated into Dutch to the

interpreter Buttanje (a Gonaqua Hottentot) by Lieut. Colonel Cuyler or Mr. Stockenstrom, and by him conveyed to Gaika in the Caffer language; two of the Colonists, Christian Vogel and Christian Niemand, who understood the Caffer language, checked the Interpreter on His Excellency's part, and Henric Nootka (also a Gonaqua Hottentot) checked the interpretations on the part of Gaika.

His Excellency the Governor began the conversation by acquainting Gaika that he was come to renew the friendship which formerly existed between the Colony of the Cape of Good Hope and the Kaffre nations, and to offer to the Caffer people any service it might be in the power of the Colonists to render them.

Gaika replied that he was extremely thankful for the offers of friendship and service, and that he had long been anxious to see His Excellency.

His Excellency then said that the best way to cement that friendship would be by putting a stop to the numerous depredations which were so very injurious to the Colonists, that they had called him from so great a distance to the place where he then was.

Gaika assured the Governor that it was not his wish to see depredations committed, when they were so, it was without his knowledge; that he was always glad to shew his good will towards the Colony, and had evinced it in the last year particularly, when he refused his assistance to the Rebels on the Frontier who had solicited it.

His Excellency thanked him for this mark of friendship and good will, of which he had heard with great pleasure, and begged him to say whether he and his chiefs would aid his Excellency in his endeavours to put a stop to the incursions of which he had so much to complain.

Gaika assured His Excellency that such incursions were without his concurrence, that he knew nothing of them, and always endeavoured to discourage them. He was sensible they were wrong, and knowing that all harm is contrary to God's will, he did all in his power to prevent it.

The Governor then asked whether the Caffer people would like to have liberty to come twice a year to Grahams Town to dispose of what they have to part with, skins, ivory, &c., and in return for which they might receive what they were most in need of.

Gaika enquired in his turn, with much anxiety, whether such an intercourse would be permitted?

To which His Excellency replied that it was his wish to permit it, provided the depredations were put a stop to, and the conduct of those who came in should not prove disorderly.

Gaika here renewed his question whether he might be allowed to come to Grahams Town?

His Excellency replied that it was his intention to permit him or those coming with his pass twice in each year, but no other persons nor at any other times.

Gaika said, How will it be with the other Chiefs? He has the name of first Chief, but not power over many. Many who were there present considered themselves to be independent of him, nor does he believe any of them excepting his uncle 'T Zambie will entirely acknowledge his authority.

He was answered that the Governors of the Colony of the Cape had always considered him as the first chief, and had never treated with any others. It was therefore the intention to continue to act with him as such, and if any other chiefs wished to trade with the Colony, they would now know that they could only do so by obtaining a pass from him to come into the Colony at the stated period.

Gaika said the conversation was very important, that he regretted there were not more present to hear it, but that the Governor's acknowledging him thus publicly as the first chief was enough. He was now ready to enter into any arrangements with him. He understood that His Excellency agreed to permit him to send to Grahams Town whenever he required it?

The Governor having assented to receive persons provided with his (Gaika's) pass at any time, added that it would however depend upon the depredations ceasing and upon the parties coming to Grahams Town behaving during the two days they would be permitted to continue there in an orderly manner, and upon their not swerving from the direct road on their way there and back.

Gaika replied that he would take all possible care his people should not leave the direct road on their way to Grahams Town, but still it was impossible to be certain they would not sometimes transgress. Men would not always do as they were desired. What the Caffer people were most in want of was iron, copper, and copper and brass wire.

The Governor now returned to the prevention of depredations, and asked whether he might depend upon Gaika's assistance herein.

To which he answered that he looked with a sharp eye on those who did ill, and might himself be considered as approving such ill if he did not punish those whom he discovered to be guilty of it; that he consequently will punish with death all such as steal from the Colonists, telling them they make him appear as deceiving the Governor. They must however be of his people, as he has no control over others. He then enquired what was to be done if the thieves should belong to other Chiefs?

His Excellency asked whether the kraal to which cattle shall be traced should not be made answerable for it?

Gaika said that if he were made acquainted with cattle having been traced to a kraal, he would procure redress, but tho' this was important, he feared other chiefs would not listen to it.

His Excellency then told him that he intended in future to send to the kraal to which cattle should be traced, and to call upon such kraal to restore it, and if the people of that kraal should have permitted the stolen cattle to pass thro' and not have stopped it, that he then should require of the kraal an equal number of Caffer cattle in lieu of what shall have been stolen. In this measure His Excellency observed he hoped and expected to be aided by Gaika.

Gaika here said something in a low tone to 'T Zambie and then spoke to the other chiefs, after which he replied that the measure proposed would be right and just. He should then see who the thieves were, and who gave them support and protection. Previous to this meeting he alone had been addressed from the Cape Governors, now almost all the chiefs heard what had been said. He hoped they would attend to it. He enquired what road he should take in going to Grahams Town, and it was settled that de Bruin's drift should be the only pass allowed, where the parties coming into the Colony should exhibit the token by which it should be known they came from him to the officer commanding at that post, who would be instructed to send an escort with them to Grahams Town to prevent their being molested.

His Excellency now observed to Gaika that as there was a great quantity of cattle and horses belonging to the Colonists now in Caffreland, it was but right it should be restored as soon as possible.

Gaika replied that he would see his people, and send to Van Aard's as much as he could collect within a month from this time, and perceiving that minutes were made of the conversation which had taken place, he observed that he had it not in his power to be so accurate as those who possessed the art of noting everything down with precision. He likewise expressed the hope that the Governor would call upon the other Caffer chiefs to restore to the Colonists the cattle in their possession which was stolen from them.

Here his Excellency produced a Caffer who had been recently captured in the Colony as high up as the Sundays River, to which place he had penetrated for the purpose of cattle stealing and had been taken in the act of attempting to open the cattle pens in order to drive out the herd, and stipulating his pardon restored him to Gaika.

The chief questioned the culprit with great eagerness and severity, and then turning to the Governor, said that the prisoner and the whole Caffer people might thank His Excellency for having saved his life, as he should unquestionably have put him to death but for his powerful interference.

His Excellency perceiving among the bystanders the Missionary Williams, recommended him in an impressive manner to Gaika's friendship.

Upon which Gaika said he was glad to embrace the opportunity of enquiring who it was that had sent Mr. Williams among them?

To which His Excellency replied that many good persons in his country (which was far distant) were desirous that the Caffer people should receive the benefit of instruction in the Christian religion which was the ground work of all true happiness, and that they had therefore sent Mr. Williams to explain the Gospel to them.

Gaika asked how they should understand the word?

To which His Excellency answered that Mr. Williams was particularly devoted to explaining it to them, and that they would do well to listen attentively to him.

Gaika now repeated that he agreed to all that had been proposed, that he thanked His Excellency for his visit to him, and that those who sent Mr. Williams were also entitled to his thanks. He assured the Governor that if he had expressed any hesitation in meeting him at first, it arose from his having much pain in his

eye, which His Excellency might see was much inflamed and unwell.

The usual number of presents having now been produced and delivered to the chiefs, as also a handsome horse to Gaika himself, the whole of the Caffers retired beyond the Kat River, and His Excellency together with the force he had brought with him immediately marched back to the plains of the Karauma on their return to the Great Fish River.

Certified to be a correct account of the Conference of the 2nd April from the original Minutes.

(Signed) C. BIRD.

[Enclosure C in the above.]

SOMERSET, 29th March 1817.

SIR,—I am directed by His Excellency the Governor to acquaint you that having now visited the line of the Frontier, and taken into consideration the state of this district in respect to Kaffer depredations and incursions, His Excellency has come to a Resolution to have the Posts placed according to the accompanying distribution, as affording in his Lordship's opinion the strongest line of posts which the small force at present at his disposal will enable him to appropriate. In communicating this distribution to you, His Excellency desires me to observe that it must be evident that other energies are required beyond the mere military assistance which may be afforded to the sufferers from their daring neighbours, and that the most active duties are essential and must be required from every officer on the station. The great advantage which the Kaffers have in carrying off their plunder appears to arise from the circumstance of their committing their depredations towards evening and making off in the night time, by which they have many hours the advantage of those who follow them, who cannot observe the traces of their stolen property during the hours of darkness ; to obviate this it appears essential to establish a code of night and day signals which shall from every part of the district on the frontier side of the Sunday River communicate with the line of posts on the Fish River, and thereby awaken the attention of the officers and men at the several stations, who will be on the alert so long as it shall appear from those signals that the enemy is in their rear. The establishment of this system will

be entrusted to the Deputy Quarter Master General, who will without loss of time be directed to repair to this District to superintend the erection of the necessary signal stations, but until he can have time to regulate this with that judgment only to be formed by a minute acquaintance with the general locality of the country, it is His Lordship's desire that you should make such experiments as may be in your power for conveying night signals by means of fires on the most remarkable eminences, with the view of giving the speediest notice of depredations to the whole line of posts.

But His Lordship is convinced that altho' a perseverance in this system may tend to check the evil so much to be deplored, yet it will be more effectually done by increasing vigilance on the part of the troops stationed in the front line. It has been with this view that His Excellency has strengthened this chain of posts as much as in his power, so as to enable each post to send out patrols daily, morning and evening, which it is his positive direction may be rigidly attended to. To each post he has attached as you will observe a proportion of the Cape Regiment, who expert in tracing the Kaffers and cattle, will with due attention give early notice of intruders; when such traces are discovered they must be followed with peculiar diligence, and his Lordship has also attached a few Dragoons to each post that speedy notice may be communicated of any important circumstances to the next adjoining station, as it may be obviously necessary. Thus far His Excellency trusts to that vigilance which may be expected from every officer who has the interest of the service at heart, but it is expedient to adopt still further measures to render abortive the attempts of our wily adversaries, for which purpose His Excellency desires that every subaltern officer may be instructed frequently to patrol with the men of his command, and upon such patrols to note down with great minuteness his observations, both as to the nature of the country he goes over, the springs he may discover, and the quantity of water they afford, the utility and feasibility of occupying any other intermediate stations, what new tracks he perceives either along the line he proceeds on himself, or on the opposite bank of the river, and what movements he may observe among the Kaffers on their side.

You will impress upon the officers the credit which they will obtain by the accuracy with which they shall furnish ample details

with respect to the country in which they are stationed, but in order to ensure the strictest attention to these directions you will be pleased to divide the chain of posts into two divisions, that of the right and that of the left, and establish among the Captains stationed in the respective divisions a roster of weekly duty, in which it shall be incumbent upon them to visit every station in their line, taking from the subalterns or others the reports of the preceding week, and making their observations not only on the line of country they shall go over but also with respect to the conduct and diligence of the officers placed at the several posts.

With respect to the Field Officers stationed at Grahams Town His Excellency desires me to say that he shall expect from them an active superintendence of the operations of the whole chain of posts, and to receive their remarks upon every circumstance which shall occur thereon, and particularly with respect to the progress in building or clearing away such proportion of the Brush wood as shall tend to the inconvenience of the posts, or impede the prompt communication from post to post which is so necessary for facilitating the recapture of stolen cattle.

Hitherto His Excellency has confined his observations to the details which more particularly affect the military branch of the service, but there are other duties, other energies equally (nay more essential) than these.

It must be obvious to you, who have so much experience of this frontier, that it is not the military force alone which can prevent these intrusions of which we have so much cause to complain. Much must depend upon the exertions of the inhabitants themselves; they must be prevailed upon to afford each other mutual support by forming small societies (similar to that of the Scheepers on the Bowkna) and tempted by every encouragement to establish themselves as near the frontier as possible.

His Lordship has no hesitation in thinking that this feeling may be implanted in them by the confidence which the Magistrates and Commanding Officer shall assume, and he will on his part take early measures for holding out the most favourable terms on which such settlers as may be desirous of obtaining lands on the Frontier shall be allowed to hold them.

His Excellency trusts you will renew your instructions to the respective Field Cornets to prevent any intrusion on the Kaffer country from our side and endeavour to impress upon the settlers

the importance of their not trespassing (as His Excellency is concerned to hear they in many cases recently have) upon their territory, or affording that people any just cause of offence or complaint.

If notwithstanding these precautions and orders, the depredations shall still continue, it will be incumbent upon you to take other steps for the protection of the settlers. I am therefore to observe to you that it does not appear to His Excellency that his directions with respect to the pursuit of stolen cattle have been properly understood or acted upon, for he collects from the reports of patrols that upon tracing cattle to the Banks of the River the pursuit has ceased, and no steps have been taken for ascertaining to what kraals the stolen property has been driven, which seems essential to know previous to demanding restitution; for if a kraal shall be discovered to have the stolen cattle, or to have given facility to the thieves to pass thro' their district with the stolen property, it seems just to require from such kraal the property or cattle in like number to that which has been purloined, and His Excellency authorises you to act up to this intention, taking however the strongest precautions to avoid accidents on such occasions as it shall be necessary to enter the Kaffer country for these purposes. In His Excellency's intended interview with the Kaffer Chief Gaika, it is his intention to make this a point of discussion, and to shew him that such a course will be most likely to put a stop to the depredations, and thus to accomplish what that Chief expresses to wish.

His Excellency hardly thinks it necessary to add that upon all occasions it is his wish and his duty to shew the most attentive humanity to the ignorant and deluded savages, and to embrace every opportunity of evincing these sentiments to them. It is always therefore with pain that he hears of the casualties which befall them in the course of the service in which we are engaged, and altho' he is well pleased to find that these accidents have diminished, yet it is more consonant with his feelings that they should be still further repressed. With this view he has in General Orders offered a reward of Five Rixdollars a head for such prisoners as shall be taken unhurt, and directed such to be conveyed to Uitenhage. It is His Excellency's intention that such prisoners shall be there usefully employed, taught if possible the Dutch language, and by means of the Minister there, or of the

Missionaries at Bethelsdorp, instructed in the first principles of our religion, after which it is His Excellency's wish to return them improved to their own country, and thus manifest to their chiefs our humane conduct to them, and sincere desire to be essentially useful to them and to treat them with the most active friendship.

The expense which this will bring on, and that of a reward of one Rixdollar per head which His Excellency has offered for recovered cattle, must be a charge against the whole district, and levied as those charges usually are by assessment on the Opgaaf.

The enclosed list will point out the alterations and additions which appear to His Excellency to be requisite in the buildings at the several posts, which of course must be effected by the Military at each station, as has been usual in former cases. With respect to such posts as are entirely new, such as the upper post at the Kaffers drift and the posts at the Waay Plaats and Korstens drift, His Excellency desires me to observe that the two former require to be immediately occupied, the men making themselves as comfortable as they can until the permanent buildings are constructed, but as the water at the Jantjes Kraal is so bad and unwholesome as to make it dangerous to change the Garrison, lest every new man brought in should be laid up, His Excellency is necessitated to desire that the Force to be stationed at Korstens drift, to which that now at the former place will be removed, may be encamped and proceed with their permanent hutting as fast as possible, the new station having the advantage of being better situated for watching the motions of the Kaffers, and that of pure water for the use of the troops. I have &c.

(Signed) C. BIRD.

To LIEUT. COLONEL J. G. CUYLER.

[Enclosure D in the above.]

Accommodation required in the first Line of Posts.

1. Kaffer Drift, Upper Post. Accommodation at the Platform for the Gun of 1 Bombardier and 7 Artillerymen. On the Hill. 1 Captain, 1 Subaltern, 3 Sergeants, and 40 Rank and File.
2. At Kaffers Drift Lower Post stabling for 48 horses.

3. Waay Plaats. For 1 Subaltern, 2 Sergeants, 26 Rank and File.

4. Hermanus Kraal. 1 Captain, 1 Subaltern, 2 Sergeants, 30 Rank and File.

5. Coetzers Drift. 1 Captain, 1 Subaltern, 3 Sergeants, 52 Rank and File.

6. Wentzel Coetzees. Occupation to encrease to contain 70 men.

7. Junctions Drift. To be completed so as to contain 1 Subaltern, 2 Sergeants, 30 Rank and File.

8. Adriaan de Lange. For 1 Subaltern, 2 Sergeants, 40 Rank and File, and 34 horses,

9. Paul Bester's. The store now building to be completed as a Barrack for 1 Captain, 1 Subaltern, 4 Sergeants, 70 Rank and File.

10. Roode Wal. A store of 50 feet by 15 for forage &c.

11. Kruger's. 2 Subalterns, 3 Sergeants, 32 Rank and File, and 15 Horses.

Accommodation required on the Second Line of Posts.

1. Hill between Rietberg and Coerney. For 1 Sergeant and 14 Men.

2. Rautenbach's Drift. Stabling for 28 Horses.

3. Meyer's. 1 Subaltern, 2 Sergeants, 24 Rank and File.

4. Addo's Drift. The roofs of the building require repair before the winter.

By His Excellency's Command.

(Signed) C. BIRD.

[Enclosure E in the above.]

Captains.	Subalterns.	Rank and File.	FRONT LINE.
			+ Caffer Drift, Upper Post.
		8	Royal Artillery with 3 pounder and Howitzer now on the frontier.
1	1	40	Cape Regiment.
			Caffer Drift, Lower Post, 2 hours of 6 miles each from do.
1	1	40	21st Light Dragoons.
		10	Cape Regiment.
			+ Waay Plaats, 1 hour from last Post.
	1	20	European Infantry.
		6	Cape Regiment.
			+ Hermanus Kraal, 6½ hours from do.
1	1	30	Cape Regiment.
			+ Koetzer's Drift, 1½ hour from do.
1	1	40	European Infantry.
		12	Cape Regiment.
			+ De Bruins Drift, 1½ hour from do.
	1	24	European Infantry.
		6	Cape Regiment.
			+ Wentzel Coetzee's, 1½ hour from do.
1	1	40	European Infantry.
	1	12	Cape Regiment.
			+ Junctions Drift, 2¼ hours from do.
	1	20	European Infantry.
		10	Cape Regiment.
			+ Van der Merwe's, 1½ hour from do.
1	1	40	European Cavalry.
		10	Cape Regiment.
			A. de Lange's, 1½ hour from last post.
	1	30	21st Light Dragoons.
		8	Cape Regiment.
6	11	406	Carried forward.

Captains.	Subalterns.	Rank and File.	FRONT LINE.
6	11	406	Brought forward.
1	1	40	+ Paul Bester's, 2 hours from do.
	1	14	European Infantry.
			Cape Regiment.
	1	30	+ Van Aard's, $\frac{1}{2}$ hour from do.
1	1	20	European Infantry.
			Cape Regiment.
	1	50	Roode Wal, 1 hour from do.
	1	10	21st Light Dragoons.
			Cape Regiment.
	1	12	Kruger's $\frac{3}{4}$ hour from do.
	1	20	21st Light Dragoons.
			Cape Regiment.
		30	Extra.
			21st Light Dragoons, 3 to be stationed at each of the Posts marked +.
8	19	632	Total numbers in first line, exclusive of the ordinary proportion of sergeants.
SECOND LINE FROM THE LEFT.			
	1	20	Prinsloo's.
		6	European Infantry.
			Cape Regiment.
		16	Somerset.
2		12	European Infantry.
			Cape Regiment.
	2	56	Grahams Town.
	4	108	21st Light Dragoons.
1	0	41	European Infantry.
			Cape Regiment.
	1	16	+ Riet Berg.
		6	European Infantry.
			Cape Regiment.
3	8	281	Carried forward.

Captains.	Subalterns.	Rank and File.	SECOND LINE FROM THE LEFT.
3	8	281	Brought forward.
		10	Hill between Rietberg and Courney.
		4	European Infantry and Sergeant.
			Cape Regiment.
	1	16	Courney.
		6	European Infantry.
			Cape Regiment.
		10	Sandflats.
		4	European Infantry and Sergeant.
			Cape Regiment.
	1	24	Rautenbach's Drift.
			21st Light Dragoons.
		10	Vermaak's.
		4	European Infantry and Sergeant.
			Cape Regiment.
	1	20	Meyer's.
		4	European Infantry.
			Cape Regiment.
		12	Adda's Drift.
		6	European Infantry and Sergeant.
			Cape Regiment.
	1	10	Jacobus Oosthuisen's.
		1	European Infantry and Sergeant.
		2	Cape Regiment at Theopolis.
		6	21st Light Dragoons at the Station marked +.
			21st Light Dragoons for relays between Grahams Town and Uitenhage.
3	12	430	Total Second Line.
8	19	632	Total First Line.
11	31	1062	At Grahamstown 2 Field Officers.
			Garrison Company at Algoa Bay.

By His Excellency's Command.

(Signed) C. BIRD.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 29th April 1817.

MY LORD,—Enclosed I have the honour to transmit to you the copy of an Instruction given by the Court of Directors of the East India Company to their Agent at the Cape of Good Hope directing the course He is to pursue in Cases where applications may be made to Him from Persons desirous of proceeding from the Cape to India: and I have to desire Your Lordship would be pleased to lend your assistance to the Agent of the Company in preventing Persons not duly authorised from proceeding to India.

I have &c.

(Signed) BATHURST.

[Copy.]

Letter from the Landdrost of Graaff-Reinet to the Colonial Secretary.

GRAAFF REINET, May 5th 1817.

SIR,—A point which I consider as requiring the immediate interference of Government I neglected to represent to his Excellency the Governor, when his lordship visited this Drostdy; but a late occurrence having still more convinced me of the necessity of some provision—or rather, I think it my duty to delay no longer in making his Excellency acquainted with the following circumstance.

The cruel barbarous custom so prevalent among the Bosjesmen of murdering or exposing such of their children as they cannot provide for, or parting with them on any terms whatever, has induced several farmers to procure some of those children, by giving their unnatural parents some trifles for them in exchange, for the purpose of keeping them as servants hereafter, or some from a more humane principle, only to save their lives. This sort of traffick, already many years in use, when I first became aware of it, I of course thought dangerous to stop, as long as it remained

perfectly understood that the farmer who got the child only considered himself master of it, until the parents again should claim it, when it was given up without any the least hesitation, or any remuneration being demanded, whatever might have been originally given in exchange; but having strong reason to suspect that this (as it is called) ancient custom is beginning to be seriously abused, that these children got in the above manner are transferred from one hand to another, and that payment is secretly taken; that many by these means are gradually taken from the frontier, brought into the inner districts, and passed off as orphans; that itinerant merchants begin to be supplied with them through some channel or other; that parents even begin to be disputed their claim to such children; from all which enormities I should think may result, that men might be found base enough, for the sake of some paltry gain, to give what the Bosjesmen may consider a great deal for such children, in order to supply others, anxious to procure them—this would be a sufficient inducement for one kraal to make an attack upon another, to murder the old ones and dispose of the children, independent of other excesses, to which men used to and leading the unpolished life of some of our most remote colonists may be seduced by such easy profit.

For all which reasons I consider necessary, with the most humble deference to his Excellency the Governor's better judgment, that before the evil shall be further extended, it should be ordered, under the most severe penalties, that no Bosjesman's child shall be received by any inhabitant from any of that tribe except with the knowledge of the field-cornet of his district, who is to be held responsible upon his oath, that he will be well convinced that no promise or gift on the side of the farmer has induced the Bosjesman to procure such child in an unfair manner, before he allows the child to be removed;—said field-cornet should moreover be obliged to make himself well acquainted whether such child is an orphan, and parted with because those it is in charge of will be no longer burdened with it, or whether it is given up by the parents from want, or the difficulty of carrying it along with them, which circumstances he should take down most minutely, together with the apparent age of the child, as well as every particular which can enable him to recollect its parents or guardians if ever they should return; the person then receiving such child should be bound to produce it whenever it

shall be called for, and upon no condition whatever give it up to any person without proper authority, except to its parents, if they should reclaim it, when it shall be returned in the same manner as it has been received, in the presence of the field-cornet, who will then take care that it is not refused, except in cases hereafter mentioned—for instance,

In order not to discourage the farmers from taking up a number of children who would actually otherwise be sacrificed in the above cruel manner, it might perhaps be useful to stipulate, that such as shall have been received from the parents in a regular manner before the field-cornet under the apparent age of five years, and be reared by the farmer until it shall have completed its tenth year before it shall be reclaimed as above mentioned, shall be bound to serve the farmer for ten years more, upon the same principle, and under the same restrictions as have been established with respect to Hottentot children, by the proclamation of the 23rd April 1812. That in the same manner a child received above five but under eight years of age, and reared until its twelfth is completed before it is reclaimed, shall be bound to serve until it shall become eighteen, and that all such received above eight and reared until it becomes fourteen, shall be bound to serve as long after as it has been kept before that time, that such as are well known to be orphans, and consequently not expected to be reclaimed, shall be brought to the landdrost with a certificate from the field-cornet describing how the child was obtained, and what proofs there are of its parents being no more, when the landdrost after making such farther inquiry as he shall deem requisite, and being convinced that the transaction is fair, shall bind such orphan in like manner as Hottentot children, according to the abovementioned proclamation, always taking care to guess the age of the child as near as possible, and binding it only for so many years as to make its apprenticeship cease when it shall be calculated to be eighteen.

By such like regulations, or others more wisely concerted by his Excellency himself, I am in hopes that the state of such unfortunate children would be greatly amended, as they would place them by degrees in the same light with respect to the laws of the colony as the Hottentots now stand, and give them the same support of those laws as the latter people now enjoy.

The case which gave rise to my hurrying this representation, as alluded to at the beginning of this letter, was two little Bosjes-

men girls being brought through this village a few days since, by a merchant from Cape Town, named Jacob Theron, who could give me no other account but that he had got them at a Bosjesmen kraal, where he was told that they were orphans; I naturally took these children from him and placed them in charge of the under sheriff, until I shall be convinced that no improper transaction has placed him in possession of them. I have &c.

(Signed) A. STOCKENSTROM.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, May 8th 1817.

MY LORD,—I take the liberty of stating to Your Lordship that on the 15th January last I transmitted to His Royal Highness the Commander in Chief a letter addressed to me by Major General Hall, a copy of which I have the honor herewith to enclose to Your Lordship.

Your Lordship's dispatch (No. 1 January 1st 1817 received on the 2nd instant) having directed the Extraordinaries of the Army here to be defrayed from the Revenue of the Settlement, renders it impracticable that the request contained in Major General Hall's letter and recommended by me to His Royal Highness should be met thro' that channel; I am therefore induced to address Your Lordship, in order to solicit Your Lordship's authority for granting an allowance of 30 shillings per diem to Major General Hall as Commandant of this Garrison from the period of his arrival here, 1st January last.

I feel confident that your Lordship will do me the justice to believe that I would not (more especially at the present moment) recommend any additional burthen upon the Treasury under my control, which could be avoided consistently with justice. This allowance has been enjoyed by all Major General Hall's predecessors (in the absence of a Lieut. Governor) receiving at the same time the allowances of bat and forage, of which Major General Hall is deprived.

The claims upon the hospitality of the Commandant of this Garrison are constant and unavoidable; not only from the Army

here, but from the large portion of Officers, who almost daily land here on their way to and from the East.

When I arrived here, and for a considerable subsequent period, there were three General Officers here, exclusive of myself, the senior of whom enjoyed an ample salary as Lieutenant Governor. At present Major General Hall is, except myself, the only General Officer. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

CAPE TOWN, *January 15th 1817.*

MY LORD,—I feel myself called upon thus early to submit this statement to your Excellency, in the hope that you will please to afford it that support which you may conceive it in strict justice to deserve, and which I judge so indispensable to the suitable maintenance of that station which I have the honor to hold in this Colony under your Lordship's orders.

My predecessor General Meade received £3,000 per annum as Lieut. Governor of Cape Town, and Generals Cockell and Baird had a consideration of thirty shillings a day for their temporary exercise of that post during the absence of the Lieutenant Governor. A proportionate allowance was at the same time granted to the Commandant at Simons Town which is still continued.

And I am at a loss to divine upon what principle it has been discontinued to the Commandant at Cape Town.

I have my Lord the same duties to perform, the same rank to maintain, and subject to the same expences, and calls of hospitality which were required of those officers, and consequently entitled to the same consideration.

My equipment for this station has been considerable. I have not a chair, or article of furniture of any description which I have not bought at heavy risque and expence, and I find that no lodging money is allowed, altho' such is the usage both at Plymouth and Portsmouth where Lieutenant Government Houses are granted.

In short, my Lord, I cannot for a moment believe it to be the intention of the Commander in Chief, (whatever may be the plans of œconomy at the present moment) to place me as second in

command at this station, and as successor to the same posts which General Meade filled, without some provision, at least adequate to those allowances which Generals Cockell and Baird received whilst in the exercise of those duties.

Your Lordship is well acquainted with all the circumstances connected with this detail, and from your experience and knowledge of the facts so equal to throw the clearest light upon the subject that I shall make no further observation. I have &c.

(Signed) G. I. HALL, Major General.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, *May 9th 1817.*

MY LORD,—I have the honor to acknowledge the receipt of your Lordship's dispatch No. 74 dated 12th November 1816, and in reply thereto beg to transmit to Your Lordship herewith the Monitions which have been duly served on the Judge and the Officers of the Vice Admiralty Court within this Government, as well as the other parties specified. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET *to* HENRY GOULBURN, ESQRE.

CAPE OF GOOD HOPE, *May 16th 1817.*

MY DEAR MR. GOULBURN,—I am sorry to say that I had not the pleasure to receive your letter of the 14th November last until the 5th instant. I regret this delay because though I seize the first opportunity of thanking you for it and replying to it, I fear all the Invectives against my humble Administration here and the Venom of Misrepresentation will be uttered in Parliament before this letter can reach you. I am however sincerely obliged to you for so willingly undertaking our defence. I have seen a most scurrilous and at the same time contemptible and ignorant

attack upon me in the *Morning Chronicle* of the 19th of December last, in which the writer attempts an invidious comparison between the Dutch Administration here and mine. I therefore enclose a Memorandum on that head taken from official documents now in my office, which I trust will completely answer that argument.

With regard to the road which this wise commentator alludes to, I certainly did reduce the monthly expenditure from 12,000 Rds. to from 1200 or 1500. I have subsequently kept the expenditure on the road within the amount of the receipts from the tolls, but not for the purpose of employing either the men or the money on the Governor's Country House, but I reduced the expenditure by a scheme of my own by discharging all hired horse waggons employed and purchasing bullocks instead, which were fed without expense on the neighbouring unoccupied Government land. The work went on *faster* than before, and the saving the expense was diminished as above described.

The complaint about the horses is equally contemptible. At this moment I have settled every particular and am on the eve of closing a bargain to export 400 horses annually for the Madras Cavalry exclusive of a proportion of better horses for officers. This (as the freight will be paid here) will bring I calculate about £24,000 sterling per annum into the Colony, for an article of which till I came there was no sort of export.

With respect to the wool this *respectable* writer omits to state that I imported 25 real Spanish Ewes and 10 real Spanish Rams in 1815, which breed I keep *pure* at the Government Farm, and the lambs are annually distributed amongst such flocks as are desirous to obtain them, with a view of producing an Exportation of Wool. These *Morning Chronicle* remarks are hardly worth refuting, but if any clever worthy Member should have learnt his lesson from an ill informed writer in the *Morning Chronicle*, it is as well perhaps that you should be informed how perfectly false and groundless these assertions are. I have not yet seen the Regent's Speech, tho' I have seen a paper brought by a passing Merchant ship of the debate on the address, and rejoice to find that the division was so respectable. The violence and outrages of the factions will I hope bring the thinking part of the House of Commons to their senses. . . . I am &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

Memorandum.

A very erroneous idea appears to have been entertained with respect to the Expenditure of the Dutch Government at the Cape of Good Hope, as if it had been very inferior to that of the British Administration which succeeded. Whence this idea has arisen it is not material to enquire, but the proof of its error is incontestable from their finance books still in our possession. It appears from these that the Receipts and Expenditure of the 3 years of their administration was as follows :

		Receipts.	Expenditure.
1803	. . .	Rds. 1,395,084	Rds. 1,409,430
1804	. . .	1,763,102	1,281,948
1805	. . .	933,316	1,565,017

Which receipt did not include specie brought from Holland for the payment of the Troops nor the sum of 60,000 Spanish dollars brought from Batavia. A question arises however of no small importance, how the Revenue should at that time have been so much greater than it is at present, or has subsequently been ? The solution is that it was not all Colonial Revenue which was brought to account, but the proceeds of a large proportion of Coffee and Spices brought from Batavia and sold to foreigners and others on account of the Batavian Government, the sums arising from which superseded the necessity of drawing upon Holland except to a small amount.

The Government does not appear to have been carried on with more economy than it has subsequently been. The payment of the largest proportion of the civil servants is as it then was ; that of those on the British Establishment may apparently be more, but in reality it is less, as the present civil servants have not the valuable perquisites those of the Dutch Government had. If the Governor has a larger nominal salary than the Dutch Governor had, it is far less than the amount paid to a Governor, a Commissary General, and a Council of 8 persons who exercised the functions now performed by one. The British Governor has no Emoluments whatever except his salary, whilst the Dutch Governor enjoyed innumerable perquisites and other advantages.

[Original.]

Letter from the REVEREND DR. JONES *to* EARL BATHURST.

5 CLEVELAND COURT, ST. JAMES' STREET,
May 16, 1817.

MY LORD,—As my return to England from the Cape of Good Hope was much earlier than I could have anticipated, I beg leave to state to your Lordship the reasons that urged me so soon to come back.

In August 1815 I had the honor of receiving a letter from Mr. Goulburn, in which I was promised £700 a year and some glebe-land in the vicinity of Cape Town. In consequence of this promise at a very considerable expence I quitted England for the Cape on the 2nd December 1815, and remained in the Colony till February 1817. From the total impossibility of living upon my old allowance, and no intimation having been received from your Lordship's office respecting the promised addition, I could not possibly remain. My return however was considerably hastened by the construction which Lord Charles Somerset was pleased to put on a conversation between His Lordship and myself, on my quitting the Colony. As His Lordship was about to go up into the interior on a probable absence of some months, I was anxious to ascertain whether my resignation, sent in to the Colonial Secretary, would be sufficient, to which His Lordship answered in the affirmative. His Lordship however informed me by the Colonial Secretary next morning, that I *had already* resigned my situation. This I positively denied, and insisted that what passed on the day before was nothing more than a private intimation of my intention. His Lordship persisted in his point; and I therefore felt myself obliged to quit the Colony as soon as possible. On the day prior to my departure I sent in my official resignation to the Colonial Secretary, which was accepted.

When I was on board ship, and we had actually weighed anchor, I received a letter from Mr. Alexander informing me for the first time that His Excellency the Governor had received instructions from home respecting my increase of salary and payment of arrears, but saying nothing as to glebe, &c., &c. Indeed His Lordship had previously told me that he could grant me no glebe except a portion of barren land called "The Camp Ground" distant 8 miles from Cape Town.

In addition to all these disappointments I am sorry to say, that although I paid every possible attention to the great object of my return, Colonial Education; yet I met with so little encouragement that I soon found all my endeavours perfectly hopeless and unavailing. I have &c.

(Signed) R. JONES, D.D.,
Late Senior Chaplain at the Cape of Good Hope.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, May 17th 1817.

MY DEAR LORD,—I was honored with your Lordship's letter of the 30th December (marked private) on the 5th inst., at the same moment in which I received your despatch No. 1 of January 1st 1817, and I avail myself most readily of your Lordship's kind permission to address you in a private letter upon the arrangements the unprecedented pressure of the times at home has rendered it necessary to make, which so vitally affect the prosperity (I might indeed say the very existence) of this Settlement.

I cannot perhaps more effectually point out to your Lordship how destructive to my hopes and views for this Colony the removal of the Dragoon Regiment from hence will be, than by referring your Lordship to my despatch dated 24th of April last, detailing my late tour thro' the Colony and my plans and intentions relative to the best mode of defending the Frontier from the depredations of the Kaffirs, the ground work and whole main spring of which defence resting upon the operations of cavalry. It is therefore most peculiarly distressing to me at the present moment, when I have so highly raised the expectations of the inhabitants, to be suddenly deprived of the means of meeting those expectations. So important however do I consider the defence of the Frontier to the ultimate prosperity of the Settlement as well as to its present tranquillity that I shall not hesitate to keep at least 1,100 out of the very small Force which is in future to be under my orders on the Frontiers. With a smaller number (particularly as I shall have no Cavalry) they cannot be defended until population (the rational defence of all countries) shall effect it for itself, and *that* never can be accomplished until the power

of a military force shall have been felt by the depredators and tranquillity thereby perfectly restored, but great as is my disappointment in being deprived of the means of attaining this desirable object, it will not be the only difficulty I shall have to encounter by the extensive reductions in the Military force here.

I have Cape Town (where there is a black population of upwards of 12,000), Robben Island (to which all Convicts are sent), and the important Naval Arsenal at Simon's Town to protect, for these I shall not have more than 950 or 1000 men, without deducting a proportion of sick, orderlies, bat men, &c., &c., which are indispensable on a foreign station. Exclusive of these difficulties in the Military protection of the Colony, your Lordship is too well aware of the shock an infant settlement struggling for export and consumption for its produce must receive by the removal of so large a portion of its consumers as a strong Dragoon Regiment and its appendages. The natural consequence will be a very serious defalcation in our Revenue. Thus, my dear Lord, as the calls upon our Treasury increase the means of meeting those calls diminish.

I have formed a sanguine hope (from intelligence I gained during my late tour) that I should have had to submit to your Lordship a plan for opening a communication and traffic with the interior of Africa from this Settlement, by establishing a sub-Drostdy on the Northern Junctions of the Districts of Tulbagh and Graaff Reinet, called the Hooge Vlagte, between the Ghoup and the Nieuwe Veld. I understand a very extensive barter of Colonial produce, cattle, and British manufactures might be introduced for gold dust and ivory, which I am assured the natives beyond our Northern Borders can furnish from the interior in considerable quantities, and thus an intercourse would be brought on through the medium of this Colony, which has long been so greatly desired in Europe.

All these pleasing prospects of improvement and increasing prosperity must however now be abandoned.

The check put to every Colonial improvement by the appropriation of the whole of the Surplus Revenue to the support of the Army cannot fail to cause very great disappointment in the Colonists, and should that grow into discontent and commotion I feel it my duty to apprise your Lordship *that I shall not have adequate means to repel them.*

Having observed that our political opponents at home have endeavoured to draw an invidious comparison between the expenditure at the Cape of the British Government and that of the Dutch which preceded it, I venture to enclose to your Lordship a memorandum, which I have taken from official documents in my office here which completely refute any such insinuation.

Your Lordship's flattering encomiums on my endeavours to economize the public expenditure have induced me with freedom to call your attention to any subject tending to that object. I cannot therefore refrain from again noticing to your Lordship the *little army* of Commissariat officers we have (as you will perceive by the Enclosure No. 2). If the Colony takes upon itself the Military Branch of that Department, the accounts will of course be submitted to the Colonial Auditor, and I conceive the office of Commissary of Accounts may be altogether dispensed with, by which a saving of nearly £900 per annum will be effected. I have put a mark in red ink opposite the names of those whose duties being merely to deliver provisions or forage to small detachments might very well be dispensed with and the duty performed by the Senior Non-Commissioned officer at a very inconsiderable stipend. Your Lordship is also silent in your dispatch relative to the Court of Vice Admiralty here, for the continuance of which I can see no necessity. I am also extremely anxious respecting the Barrack Department. In the strictest confidence I take the liberty of saying to your Lordship that the expenditure of this Department has caused me more uneasiness and vexation than any other source of expense since I have held this Government. I am willing to give full credit to the good intentions and integrity of the Gentleman at the Head of it, but tho' formerly a very gallant Military Officer, he possesses no qualifications for the method and science required to conduct such an office, and I should be much relieved if an able clerk of the works is sent out and the whole turned over to the Quarter Master General's Department, where it can be perfectly well conducted with no other additional expense than continuing the Assistant Deputy Quarter Master General, who I have now ordered to be struck off on the 24th instant. He is a most able and diligent officer, and thoroughly to be depended upon. I have also discontinued (without any instructions from the Horse Guards) from the 24th Inst. the Deputy Judge Advocate-ship here, the Garrison Surgeon and the Frontier Adjutantcy 9s. 6d.

sterling per day each. I have been enabled to do away the latter appointment by sending the Brigade Major from hence to perform those duties on the Frontier and throwing the Brigade Major's duties here upon the Town Major. It has become necessary however for me to add an appointment to the Frontier Army of an officer to take charge of the signal posts which I have lately established, to see that they are rendered efficient, and also to attend to the state of the huts at the respective military posts. These duties will require great activity and intelligence, and I trust I shall receive your Lordship's support in making the appointment.

There is only one subject more on which I have occasion to solicit your Lordship's patience for detaining you, and that is, the mode in which the Civil Servants of this Government on the British Establishment (that is who are entitled to receive their salaries in sterling money) are in future to be paid. Your Lordship knows that the rate at which they have been hitherto paid in paper currency has been regulated by the average of the tenders accepted by the Deputy Commissary General for bills drawn by him on England during the respective preceding quarter. The amount of each pound sterling paid to the civil servants has therefore been precisely that which the British Treasury has received in exchange, so that altho' our finance here may have suffer'd by an arbitrary rate of exchange, yet the general interests have not been affected, or indeed they might be said to have gained, the bills drawn exceeding the quarterly payments in sterling money which in salaries have not been more than £6000 but as the new arrangement regarding the expenditure of the Commissariat will reduce the number of bills on England to those drawn for the Naval Service only, it does not appear to me any longer a fair mode (towards this Government) of ascertaining what is really sterling money.

I beg therefore to propose to your Lordship (which I do after the most serious reflection and after consulting with those best qualified to form a judgment on the subject) that the civil servants so situated should be paid henceforward by bills upon England with a positive restriction however, that such bills shall be bona fide transmitted by the receivers of them to England and not be permitted to be disposed of in the Colony on any pretence whatever. The aggregate amount of these salaries is about

£24,500 per annum, I would propose therefore appropriating to that purpose the £5,000 to be drawn annually from England in aid of this Colony, and that the Commissary should give bills for the remainder in exchange for paper currency out of those which he will have occasion to draw for the Naval Service. The amount drawn for that service in 1816 was upwards of £46,000 sterling, it will therefore always far exceed the amount required for these salaries, which will not amount to £20,000.

I have been led to prefer proposing this mode to your Lordship in consequence of its having been adopted under the Batavian Government as far as regarded a portion of the salaries of those who were natives of the United Provinces and had their connexions or a part of their families in Europe to support, as ours now have in England, and are therefore necessitated to remit a portion of each quarter's salary for that purpose. The only alternative, should your Lordship see objection to this proposal, is to pay them in Spanish dollars at the rate at which the army here is paid; but I consider the former mode the most just for the Government as well as for the servant also, and infinitely the least complicated.

I trust I may entertain a hope that the burthens now thrown on this Colony will be but temporary, and that as soon as the general interests of the Empire will admit of it, I may expect an encrease of military force. Your Lordship will excuse my again urging the necessity of at least 400 Cavalry here, and pressing upon you how greatly I am embarrassed by being bereft of that species of force.

I cannot close this letter, my dear Lord, without assuring you that tho' the arrangements directed by your Lordship's dispatch of the 1st of January have caused me the deepest chagrin and disappointment as far as regards this settlement, I am most fully sensible of, and grateful for the flattering manner in which your Lordship has expressed yourself towards me, and you have laid me under an additional and lasting obligation in having had the friendly consideration to send a copy of your dispatch to the Treasury. I very sincerely trust that there will have been no necessity for the caution of making this letter private, and that the Cabinet of which your Lordship is so distinguished a member is likely to remain undisturbed and unshaken. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

There is one subject of so delicate a nature that I feel much difficulty in even touching upon it to your Lordship. I consider it however incumbent upon me not to withhold it, and attach this bit of paper to my letter entreating your Lordship to burn it as soon as you shall have read it.

The great clamour for Economy in England and the abolition of Mr. Barrow's appointment at the Admiralty have created an alarm here that either the Secretaryship or Deputy Secretaryship of this Government will be abolished. Should such a measure be decided upon, I must fairly tell your Lordship that with any justice to the well doing of this Colony Colonel Bird *must be the one to be retained*. Mr. Alexander, for whom I really have the most sincere regard, tho' endowed with very brilliant talents, does not possess those requisite for wading thro' the details of office. During the period of Colonel Bird's absence on leave in England, in the time of my predecessor, the Assistant Secretaryship was filled by a very able man, whose services I have thought it just to reward by advancing him to the highly respectable situation of Landdrost of the Cape District; but the present Assistant Secretary, tho' a young man of great respectability, has no experience and can afford no real assistance. I therefore unreservedly state to your Lordship, from the experience I have recently made by an absence from my office of three months whilst on my late tour (when Colonel Bird, being with me, was also absent) that the voluminous mass of business which passes thro' my office cannot (under the present circumstances) be carried on without Colonel Bird's able assistance. I rely upon your Lordship's friendship not to allow what I have said to act in the slightest degree to the prejudice of my friend Mr. Alexander's future views, but your Lordship is too intimately acquainted with the details of office not to know that there is a certain method in carrying into execution matters decided on, and conducting details which some possess and others never can acquire. Pray excuse this scrap.

(Signed) C. H. S.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 19th May 1817.

MY DEAR LORD,—Much delay has occurred in answering your Lordship's private letter from the Colonial office of the 29th of June last, on the subject of certain transactions stated to have taken place under this Government involving the interests of the Black population of the Cape, partly owing to the time which it has taken to collect the very voluminous information contained in the enclosures herewith transmitted, and partly owing to other pressing avocations and particularly my long absence from Cape Town having prevented my giving your Lordship earlier elucidation on this very interesting subject.

The delay however will be compensated by your Lordship's receiving now the fullest and most accurate information possible on the points to which your Lordship has called my attention, which you justly state to involve the interests of the Black population of this Country, to which I have invariably, as far as in me lay, afforded the most ample protection.

The complaint which has been laid before your Lordship divides itself into two branches, the one of which relates to the removal of certain negroes apprenticed under the provisions of the Act of Parliament by the Collector of Customs to the late Mr. Alexander Tennant and removed from the care of the Executors of Mr. Tennant by the Comptroller of Customs (acting for the Collector during his absence in England), upon the grounds which are set forth in the enclosed full and detailed explanation which has been communicated to the Colonial Secretary by the Comptroller.

This statement appears to me to be so ample and to mark so clearly the misrepresentations and falsehoods contained on this head in the anonymous paper communicated by your Lordship, that I will not further detain you on the subject, but refer your Lordship entirely to that explanation as a satisfactory reply, and proceed briefly to explain to your Lordship the circumstances attending the second point of animadversion which relates to several Negroes apprenticed to the late Mr. Tennant also by direction of Lord Caledon, the circumstances relating to which

point, though more complicated than those alluded to under the first head, will, I trust, be equally clearly developed to your Lordship, and that your Lordship will see, not only that the interests of these individuals have not been lost sight of by me, but that very early after my assumption of this Government my attention was called to this very subject, and that my best exertions have been used for the permanent welfare and benefit of the individuals concerned.

It appears, my Lord, from an examination of the records of this Government, that in the year 1808, previous to the operation of the wise and beneficial regulations for the final abolition of the importation of Slaves into this Colony, the late Mr. Alexander Tennant had received permission from Sir David Baird, then Governor here, to import to the number of 500, part of which he did in consequence bring here during Sir D. Baird's administration and the remaining part arrived during the period of the Earl of Caledon's Government. His Lordship, I understand, very reluctantly assented to the landing of the said remaining proportion of the number his Predecessor had consented to the admission of, but he peremptorily refused to admit a single one beyond the number, and as the vessel, under Portuguese colours, which brought this remaining part from Mozambique, had about 100 more on board, there was no alternative but for her to proceed to the Portuguese or Spanish Settlements in South America with the remainder. She attempted to do so, but was stranded upon one of the small Islands of Saldanha Bay, and the slaves were then thrown upon their owner for maintenance and relief. No other vessel could carry them off, and in this case of much difficulty, Lord Caledon consented to their being brought to this main and apprenticed for 7 years to Mr. Tennant under certain restrictions. These circumstances were reported to His Majesty's Government at the time, and received its approbation. This was in April 1808, consequently the term for which these persons were bound to Mr. Tennant expired in 1815.

Mr. Tennant however died in the year 1814 very shortly after my arrival in the Colony, and reports were in a short time subsequently thereto in circulation with respect to these Negroes which early attracted my attention and were the subject of my enquiries, but in June of that year the widow of the said Mr. Tennant made a direct application to me on the subject,

which gave me an opportunity of directing His Majesty's Fiscal to cause a strict enquiry to be made into their state, condition, and improvement. A copy of Lieut. Colonel Bird's letter to the Fiscal I have now the honour to enclose, as well as copies of the Fiscal's subsequent report, dated 22nd September of the same year. Your Lordship will perceive from these important documents and from Lieut. Colonel Bird's reply to the Fiscal of the 26th of the same month, that the proceedings in this case originated with me, and that I evinced, as I have continued to do, the greatest anxiety on the subject; but you will perceive with regret and surprize that there is more than ground to suspect that the late Mr. Alexander Tennant had grossly abused the confidence placed in him, by neglecting entirely his covenants for the protection of these negroes, and by his having either by himself or his connivance suffered several of them to merge into the class of slaves. This lamentable fact became the subject of a most laborious and voluminous investigation before the Court of Justice, but the whole of the circumstances attending this stage of the business is so minutely and so ably entered into by His Majesty's Fiscal in the enclosed answer to my reference of the anonymous communications to him, that I forbear entering into the details thereof here, but merely state to your Lordship that by Mr. Denysen's unremitting exertions seven of them (who from Mr. Tennant's negligence or wickedness had become slaves) have been discovered and declared free by the Court of Justice, while the cases of three others are still pending in the Court of Appeals.

It now, my Lord, remains for me to explain to your Lordship the course I have thought proper to pursue with regard to persons very singularly situated. Mozambique Negroes, brought hither from a savage state, do not readily and generally acquire those habits of civilization which would be necessary to persons having the sole guidance of their own conduct, so that it cannot be doubted that if such persons were not placed with humane and proper employers, they would fall into habits of idleness and vice which must end in what we have most to guard against here, from the scanty means we possess of suppressing it when it occurs, vagabondizing, and marooning. The British Legislature, in providing for the employment of Prize Negroes, affixed the term of 14 years for their state of apprenticeship, probably from a knowledge that such term was the most likely to fix them

in habits of industry, and there is a clause in the Act which leaves it to be supposed that some further measures will be adopted in their regard previous to the expiration of the 14 years. These Apprentices were not in that state at the termination of their 7 years apprenticeship in which it could have been considered safe to have allowed them to follow the bent of their own inclinations, which, as I before observed, would have led to their retiring in idleness to the interior.

From this consideration I deemed it advisable to take a middle course between leaving them to themselves and binding them for 14 years in the spirit of the Act of Parliament, and giving them the choice of such masters as they expressed no objection to work with, I directed them to be hired to them for 7 years, taking such precautions with respect to their comfortable lodging, clothing, food, and pocket money as has secured to them a comparative affluence to that of the generality of the labouring class, but my endeavours for their future welfare have not rested here, I stipulated for their instruction in the Christian religion and that a further sum of 24 skillings currency monthly for the males and 12 skillings for the females should be paid by their employers as a fund, under the superintendence of the Orphan Chamber, for the future support and for the present maintenance and care of those among them who, from infirmities, mental or bodily, have not otherwise the means of existence.

My Lord, in this country we have neither Hospital, poor rates, nor public institutions of any kind for the relief of poverty, distress, or sickness. The Calvinist and Lutheran congregations maintain their own poor, who are very few; each person is bound to provide for his slaves in sickness and old age; but these individuals were unprotected and unprovided for, there were two among them in a state of mental infirmity which required immediate attention, and by forming the fund I have done, I have secured their present and future provision, while to those who are in employment I have ensured either sufficient to put them forward in any line in which they may have it in their power to embark or an annuity equal in this mild climate to their maintenance in sickness and old age.

I shall not detain your Lordship further in refuting the various calumnies, misrepresentations, and falsehoods contained in the anonymous extracts transmitted to your Lordship, the writers of

which are as well known here as the channel through which they have been transmitted. I rest satisfied that your Lordship will see that I have zealously collected these dispersed, unprotected, untaught, unfortunates, and that I have provided for them in the best manner practicable. Had they been well educated Christians, still the major part of them would, according to the civil law as administered here, have been placed under curators in consequence of their nonage. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 19th May 1817.

MY LORD,—In reply to your Lordship's Dispatch with an enclosed extract of a letter from Mr. R. B. Fisher to Mr. Wilberforce in which it is asserted "that the crime of infanticide generally prevails at the Cape of Good Hope and that an officer of the 93rd Regiment has stated himself to have seen no less than 13 murdered infants lying on the Beach without any enquiry having been instituted as to the manner in which they lost their lives," I have the honour to state that I caused an immediate reference of the extract of Mr. Fisher's letter to be made to the Worshipful Court of Justice here, who must have been aware of any judicial proceedings which might have had place in instances of infanticide during the period of British Administration in this Colony.

I also caused the extract to be referred to His Majesty's Fiscal, whose functions as Chief of the Police and Attorney General for the prosecution of criminal offences must have enabled him to know whether such crimes were prevalent here, or allowed to pass without enquiry or notice, and I likewise caused a similar reference to be made to the Burgher Senate, to whom the Wardmasters of the 25 Wards into which this Town is divided, report all extraordinary occurrences within their respective Wards. From the united testimony of all these authorities (whose reports I have the honour herewith to enclose), from the indignation with which so foul an accusation has been received, and from my own observation of the strictness with which crimes, when they un-

fortunately do occur, are impartially prosecuted, I may venture to pronounce Mr. Fisher's allegations gross and unfounded misrepresentations.

From the perusal of the very extraordinary work Mr. Fisher has put forth, I can conceive that some mischievous individuals have from mere wantonness imposed upon a credulous and weak mind, probably without supposing that their inventions would be published to the world in the manner Mr. Fisher has thought proper to bring them into notice. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure No. 1 in the above.]

CAPE OF GOOD HOPE, 27th March 1817.

MY LORD,—In compliance with your Excellency's directions contained in a letter from the Colonial Office dated the 27th ultimo and enclosing copy of a dispatch from His Majesty's Secretary of State, covering an extract of a letter from Mr. R. B. Fisher to Mr. Wilberforce, we have the honor to say that it has always been a constant custom in this Colony for Commissioners from the Court of Justice in Cape Town and in the country districts commissioned heemraads duly assisted by a medical man to take inquests on the bodies of all persons of whatever age or description, who have died a violent death, and on which occasion all the circumstances are minutely investigated and inserted in the Act of Inquest, together with the opinion of the professional person so assisting as to the cause of death, as also on the bodies of all adults and infants who have died suddenly, or who have been found dead, or with respect to the manner of whose death the most trivially unfavorable supposition may have arisen. This practice is so invariably and strictly observed here that there are several examples of bodies having been dug up which had been buried in consequence of no suspicion having previously existed, in order to ascertain beyond all doubt that no violence had been committed, and similar inquests are even taken on all wounded persons of whatever rank and situation, whatever may be the nature of the wound, and altho' it may be sufficiently known beforehand that such wound was entirely accidental. With respect to the crime of infanticide in particular, or the finding of the murdered bodies of new born children as mentioned in the dispatch of the Secretary of State,

we immediately on receiving your Excellency's commands directed our secretary to examine the Inquest Books kept in the office of our court, from whose report, which we have the honor to annex, it appears that since the year 1800 to the present time there have occurred but eight cases of new born infants being found dead, so that we have no hesitation to say that the statement of Mr. R. B. Fisher of thirteen having been seen by a respectable officer of the 93rd Regiment and three infants by Mr. Fisher himself lying exposed on the beach, and still no enquiry made, is a gross misrepresentation, in which light we trust it cannot fail from the nature of the thing itself to appear to Your Excellency, for surely if such or anything like Mr. Fisher's assertion had been the case it must have attracted the attention of the public, and consequently come to the knowledge as well of the members of our Court and the Fiscal as of everybody else, when certainly no reasons could have been found why an investigation of the circumstances should not have been made in the same manner as in all other cases of a similar nature, as appears by the annexed report from our secretary.

We dare therefore confidently assure Your Excellency, even supposing it to be evident that all the eight infants mentioned in our secretary's report came alive into the world (which in two cases only fully appeared) that the crime of infanticide is not more prevalent in this Colony than elsewhere, on the contrary, there are several examples of new born children having been placed in such situations that they must be found, and who have accordingly been taken up and properly provided for.

We have &c.

The Chief Justice and members of the Court.

(Signed) J. A. TRUTER.

By order of the Court.

(Signed) G. BEELAERTS VAN BLOKLAND, Secretary.

[Enclosure No. 2 in the above.]

FISCAL'S OFFICE, *April 22nd 1817.*

SIR,—In compliance with His Excellency the Governor and Commander in Chief's directions, communicated to me in your letter of the 27th February last respecting Mr. R. B. Fisher's

letter to Mr. Wilberforce in which he stated that the crime of infanticide generally prevails at the Cape of Good Hope and that the same is passed by unregarded, I have the honor to report, that upon enquiry I have found that far from being prevalent this enormous crime has scarcely been proved to have existed in this Colony, and that whenever such crime is suspected to exist, the most scrupulous investigation has taken place in order that the offenders might be brought to their condign punishment.

Having been favoured by the Worshipful the Court of Justice with a copy of the report of said Court to His Excellency respecting this subject dated the 27th ultimo, I think it unnecessary to repeat what has been therein stated. I therefore beg leave to refer to said report, and in addition to the same to observe that not only in Cape Town to which the same chiefly does refer but also in the Country Districts the crime of infanticide is most rigorously adverted on. Two instances of which I have witnessed since the last surrender of this Colony to His Britannic Majesty, one in the year 1806 and the other in the year 1813, of women whose new born children having been clandestinely buried, the bodies of the children have been dug up and an inquest taken on the same. As however after the most rigid investigation in neither of these cases it has appeared to the Worshipful the Court of Justice that the children have been born alive and consequently the crime of infanticide has in neither of them been substantiated, the Court by sentence pronounced on the 30th June 1808 in the first mentioned case has condemned the mother of the child, who, pending the investigation of her case had been confined in the prison about two years, to six months imprisonment more, which condemnation, as she was not found guilty of infanticide, shows how much even the concealing of the birth of a child supposed to be born dead is in abhorrence in this Colony, and in the latter case by sentence pronounced the 21st September 1815 condemned the mother as guilty of a crime approximating to infanticide, viz. the consent given by her that the life of her child which she supposed to have been born alive should be destroyed, to the pain of scourging, branding, and 20 years confinement; the latter part of the sentence, however, has been remitted by His Excellency.

It just so happens that on the 16th Instant I received a letter from the Landdrost of Tulbagh, acquainting me that information

has been lodged in his office by a slave, that some time ago he had found in the Karoo, the most deserted part of this Colony, the skeleton of a new born child supposed by him to have been killed, on which information the Landdrost also acquainted me that he has commenced his official enquiries, tho' hitherto without success.

I trust that these facts joined to the informations forwarded to His Excellency by the Worshipful the Court of Justice, will abundantly suffice to show how unjustly Mr. Fisher has inveighed against the administration of Justice and Police in this Colony, and how little he can be relied upon when in this instance he comes forward as an eye witness to substantiate part of his assertions. I have &c.

(Signed) DANIEL DENYSSEN, Fiscal.

[Enclosure No. 3 in the above.]

CAPE TOWN, CAPE OF GOOD HOPE,
March 17th 1817.

GENTLEMEN!—Having been directed by your circular letter of the 14th Instant, to the present and former Wardmasters, to state in writing whether and how many children, are known to them to have been found murdered since the year 1806, I have the honor to say in answer thereto, that as it is many years ago I have had my discharge as Wardmaster, at which time all papers relating to that situation have been delivered up by me, I find myself obliged and beg leave to refer you in that respect to the Fiscal's Office, where all similar atrocities (if any has existed) have been duly reported by me. I have &c.

(Signed) G. H. MEYER.

[Enclosure No. 4 in the above.]

To His Excellency the RIGHT HON'BLE GENERAL LORD CHARLES HENRY SOMERSET, Governor and Commander in Chief, &c., &c., &c.

MY LORD!—We have had the honor to receive in due time Your Excellency's letter of the 27th February last, enclosing some documents for their enquiry towards the truth or untruth of a most important statement of Mr. R. B. Fisher: "That in this Colony infanticide passes by unregarded, and is so generally prevalent

that by an officer of a respectable character in the 93rd Regiment thirteen, and by himself three murdered infants have been seen lying on the beach," as the accuracy or inaccuracy of that statement could not be judged of, or proved out of the records of the Burgher Senate, no report of any crime whatever being made to them, and being apprehensive that a declaration of the moral conviction of President and members of the contrary of so dishonored an accusation might be held by Your Excellency as a dissatisfactory report for the information of His Majesty's Ministers of State, President and Members conceived the necessity of supporting their conviction by special statements of the persons who since the arrival of Mr. Fisher and his respectable friend in this Colony have acted as Wardmasters in this town.

With the exception of two statements made by persons who formerly acted as Wardmasters, and herewith enclosed, in which they refer to their reports to His Majesty's fiscal, Mr. Fisher's statement is contradicted as it were out of one mouth by the Official Reports of Seventy-four Wardmasters, and confirms in President and Members the agreeable conviction that this Statement and Accusation is deprived of all ground and truth.

President and Members trust that this enquiry and report will meet Your Excellency's desire, and have the honor to remain with respect. My Lord &c.

Cape Town, March 27th 1817.

(Signed) J. JURGENS, President.

By order of the President and Members aforesaid.

(Signed) P. J. TRUTER, Secretary.

[Enclosure No. 5 in the above.]

CAPE TOWN, *March 17th 1817.*

GENTLEMEN! I beg leave to refer myself as former Wardmaster to the letter sent in this day by G. H. Meyer, at that time my Colleague, in answer to your Circular of the 14th Instant, and am &c.

(Signed) O. G. DE WET.

The President and Members
of the Burgher Senate.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 7th June 1817.

MY LORD,—I was about to transmit to your Lordship the enclosed report from the Island of Tristan d'Acunha when I received your Lordship's dispatch with enclosures from Lord Melville and Sir G. Cockburn, by which I learnt that orders had been given to evacuate that possession, and the following day His Majesty's Ship *Conqueror* arrived in False Bay having Captain Cloete and part of the Garrison on board. The *Conqueror* not having been able to embark the whole of the ammunition and stores, Lieut. Aitcheson R.A. with a few Artillerymen and the Surgeon were left behind in order to be brought away at a future opportunity.

Admiral Plumpin went on shore and saw everything which had been effected, and the Admiral having expressed his regret that the means and position of the Island should have been so little appreciated, and as no expense will be incurred by waiting for your Lordship's further orders (beyond the sum of 10/ a day—5/ a day each—to the two officers now there from the Colonial funds) even should there in the meantime be an opportunity of dispatching a vessel thither to take away the remaining Garrison and stores, which is not certain, I have ventured to express my opinion that your Lordship should again be consulted thereon.

When I had the honour to suggest to your Lordship the expediency of occupying this little Island, it was without any reference to General Bonaparte's security, but in consequence of these coasts having during the late War been insulted both to the Eastward and Westward by Privateers which had refreshed there, the only place in these seas where they can water; it was from the knowledge I had of American vessels having made that Island their rendezvous and having intercepted one of His Majesty's Vessels from thence; it was from a persuasion, in which the enclosed report strengthens me, and in which every consideration confirms me, that should the British Flag not fly there, the Island will forthwith be taken possession of by some other Power, and I know that it had been strongly recommended to the French Government to occupy it. It was upon these grounds that I first

received your Lordship's sanction of the measure and instructions relative thereto.

But in the intermediate time it occurred to the Authorities at St. Helena that the possession of Tristan d'Acunha would be an additional security to the charge confided to them, and unaware of what had passed between your Lordship and this Government on the subject, they recommended the same measure, in consequence of which reiterated orders were given in the case. A further consideration of this secondary part of the question appears to have given rise to the orders now communicated to me, but as the first reasoning does not seem to have been at the moment adverted to; as the heaviest expenses have already been incurred, and as the occupation is in my opinion of high importance to the tranquillity of this place in times of War and to the safety of the Indian Trade at like periods at very small charge to this Government, I venture once more to call your Lordship's attention to the subject and beg to be favoured with your final decision.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 9th June 1817.

MY LORD,—In compliance with the instructions contained in Your Lordship's dispatch No. 72 to procure an assortment of the seeds, bulbs and plants of this Settlement for His Majesty the Emperor of Austria, I have the honour to inform Your Lordship that I have embraced the opportunity afforded me by the return of the Revd. Mr. Hesse, Lutheran clergyman of this town, a gentleman of botanical pursuits, to forward one assortment as per list enclosed, and I have at the same time put on board the same vessel a second assortment which I beg to request Your Lordship will do me the honour to present with my humble duty to His Royal Highness the Prince Regent.

I am happy in the opportunity this affords me of introducing to

your Lordship's acquaintance Mr. Hesse, whose amiable character has impressed us all with sentiments of high respect and esteem.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

P.S. Lists of the seeds and bulbs &c. are in the several cases.

[Enclosure in the above.]

Shipped on board the *Alacrity*, J. Finlay Master,

For His Royal Highness the Prince Regent :

Two cases growing Plants,
One case of Bulbs,
One case of Seeds.

For the Emperor of Austria :

One case growing Plants,
One case of Bulbs,
One case of Seeds.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, LONDON, 13 June 1817.

MY LORD,—I do myself the honour to transmit to you Copies of a Correspondence which has passed between Mr. Goulburn and Sir John Cradock relative to a Remuneration which Sir John Cradock has recommended should be made, and the Amount paid to Mrs. Hill on account of her late husband's services at the Cape of Good Hope, on the ground that an Allowance has been granted to the Head of the Commissariat Department at Mauritius for victualling the Colonial Corps which is not made at the Cape of Good Hope to the Officer there discharging duties of a similar description.

Although I consider it most objectionable to apply the practice of the Mauritius to the Cape of Good Hope in any case, and still more so when it is wished that the Arrangement proposed should

have a retrospective Operation, yet in the present Instance I shall be happy if Your Lordship should feel it to be in your power, without establishing an inconvenient precedent, to relieve the Distresses which Mr. Hill's death and the Circumstances preceding it have brought upon his Widow and his family.

I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 18th June 1817.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's dispatch No. 70, transmitting an application which has been addressed to your Lordship by an inhabitant of Liverpool, requesting information concerning a legacy which he alledges has been bequeathed to him by a relation deceased at this place, and in reply beg to transmit to your Lordship the enclosed copy of a report from the Orphan Board of this Settlement (to whom I caused the application to be referred) which contains very satisfactory information on the subject. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 18th June 1817.

MY LORD,—In compliance with your Lordship's desire, contained in your Dispatch No. 79, I do myself the honour to return to your Lordship herewith the Document, being a power of attorney (Enclosed to me) executed by a subject of Wurtemberg residing at this place, the same having been duly verified by me.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 19th June 1817.

MY LORD,—I do myself the honour to acquaint Your Lordship that with the privity of His Majesty's Government, His Majesty Louis the 18th has appointed M. Le Conte des Ecotais to act as French Agent for Commerce and Marine at the Cape of Good Hope, and I have to desire that Your Lordship would be pleased to receive M. des Ecotais in that Quality. I have &c.

(Signed) BATHURST.

[Original.]*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, June 21st 1817.

MY LORD,—The transport ship *Lloyds* arrived in Simon's Bay yesterday having on board 161 deserters as a reinforcement to the 1st Battalion of the 60th Regiment, part of the Garrison of this place, and by the same opportunity I learn that other vessels with 340 men more of the same class may be daily expected also for that Battalion.

It is painful for me, my Lord, at a moment like the present to be under the necessity of calling your Lordship's attention from the weighty concerns which must engage your time and best exertions at home to the perilous situation of this distant Settlement, but it is a duty I owe to the trust reposed in me not to disguise from your Lordship the slender thread by which we are now kept together.

I have had the honour in more than one communication to state that a force of not less than 4000 men was adequate to the peace duties of this extensive country. His Majesty's Government has found it expedient, nay imperative, to decide that not more than 2400 men shall be kept here under the present circumstances. To such a decision it is my bounden duty to submit, and to concur with my most strenuous exertions in making the reduced numbers answer the object proposed till more favourable times shall enable

His Royal Highness the Prince Regent to give further aid to our necessities.

Your Lordship will do me the justice to believe that I shall not shrink from any duty imposed upon me, however arduous, and you will feel that I am prepared to give every practicable aid to the measures which I am called upon to give effect to. But, my Lord, I had calculated upon having at least, of the small force to which the troops entrusted to me are reduced, men upon whom dependence can be placed. The service of the Frontier cannot be carried on under 1100 men, and upon this service I cannot employ the description of soldier of which the 60th Regiment is composed. Desertion, there so easy, would carry with it the greatest evils. The ground work of that corps is composed of foreigners, deserters from all nations, grumblers, and of general desperate and bad characters. To these are now to be added 500 British deserters, and of this Regiment so composed the garrisons of this place and of the Naval Arsenal at Simon's Town, except a very few of the 72nd Regiment, are to consist. Hitherto my dependance has been on the Royal Artillery and the 21st Dragoons, but the reduction of the former to about 30 men only at Cape Town, and the total removal of the latter to India leaves me without that or indeed any support on which I can rely.

The slave population here, my Lord, is numerous and has been once in arms. There is too a spirit of insubordination among that class, which did not exist, I am informed, in former times. The white population is scattered, and could not throughout the provinces give each other immediate assistance in case of emergency, besides which a great portion of that white population feels disappointed in the expectation which had been formed of the consequences and supposed advantages of British connection. Their ideas of Prosperity have been as a dream. From either class therefore what may not be apprehended if a spirit should manifest itself in the Garrison? Amongst the 161 (the reinforcement for the 60th Regiment) just arrived a plot was timely discovered which they had formed for seizing and carrying off the vessel in which they were embarked, altho' a detachment of the 48th Regiment was on board for the express purpose of guarding them, and the first acquaintance I shall have with them will be by bringing to trial (and to condign punishment if convicted) the ringleaders of this conspiracy.

I have I trust said enough, my Lord, to shew your Lordship the danger to which His Majesty's Possessions here will be exposed so long as the description of Troops employed here is not of a class in whom a Commander can place reliance. I will not therefore say more upon it than to express an earnest hope that your Lordship will take measures to have my anxiety relieved by recommending that the few Troops we have should be such as can be depended upon, and not likely to be warped from their duty.

By the mail which also arrived from England this day by the Ship *Ceres* I have received His Royal Highness the Commander in Chief's commands for the removal of Major General Hall from this staff to the Mauritius. It is not the pain which it gives me to part from an officer from whom I was receiving the most energetic support in my command and whose whole conduct has merited my warmest praise, which renders it necessary for me to lose no time in addressing your Lordship upon the consequences of having no General Officer on the station, but a doubt arises as to the person or persons to whom the Government of this Colony shall devolve in case of any accident happening to me. The next officer in point of rank to myself here is Colonel Graham of the late Cape Regiment, but as he is on half pay and is only employed as Commandant of Simons Town, I conceive his authority cannot extend beyond the limits of his commandantship, a half pay officer not being amenable to Military Law. Upon this point I must entreat your Lordship's earliest instructions.

Should I be correct in my view of the subject, that Colonel Graham being on half pay and holding no military employment under the King's signature or warrant is incompetent to assume a command and consequently the administration of the Government (which in case of my demise falls on the next Military Officer) your Lordship will perceive that with the reduced Garrison we shall henceforth have the administration of the Government might devolve upon an officer of great inexperience and consequent unfitness for the charge. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 23rd June 1817.

MY LORD,—I have considerable satisfaction in communicating to your Lordship the following circumstances which have occurred on our Eastern frontier since my return, as they serve to confirm me in the opinion I had formed of the efficacy of the measures of policy and defence which I adopted when on the spot, and to prove to me that a perseverance in them will in all probability be crowned with the desirable effect of giving tranquillity to our long disturbed border.

It will be in your Lordship's recollection that I had agreed with the Caffre Chiefs assembled at the Kat River, that in case of future depredation the cattle stolen should, if possible, be traced to the first Caffre Kraals to which the plunder should have been driven, and restitution forthwith demanded, and in case the cattle should not be in consequence restored, then a like number of Caffre cattle to that missing should be made responsible for that which should have been purloined from our Colonists.

On the 28th of April notice was given to the officer commanding at Grahams Town that a small drove of 19 oxen had been surprized by some Caffres who had succeeded in returning with the plunder into their own country. Lieut. Vereker of the 83rd Regiment was immediately dispatched in pursuit of the Marauders with 100 men. The cattle were easily traced to the Kraals of Habana (a Chief who had not attended the Conference on the 2nd April), restitution was demanded, and Lieut. Vereker gave the Chief till the next morning to decide whether he would make it, first however securing a number of oxen equal to those stolen. When the morning dawned, in place of offering restitution, Lieut. Vereker found the heights around him crowded with Caffres in a hostile attitude, and finally received a peremptory refusal of satisfaction; he therefore commenced his retreat with the retribution he had possessed himself of. He was watched and followed by the Caffres, but not molested until he got to the Bed of the Little Kat River, when presuming that narrow pass to be favorable to their object, they rushed with great impetuosity upon Lieut. Vereker's detachment, making horrible shouts and casting their assagais

(spears) at our people, by which three men were wounded. Lieut. Vereker drew up his party and commenced firing upon the Caffres, by which 5 men were immediately killed and many others wounded, but the Caffres fled in every direction and Lieut. Vereker returned to Grahams Town with the 19 head of cattle, which were restored to the persons who had been plundered.

Notice hereof was immediately given to the Chief Gaika, and intelligence was shortly after received from that chief which gave room to suppose that the greatest good faith might be expected from him and the agreements entered into implicitly executed, for it appeared that he was actually collecting all such horses as had latterly been stolen from the Colonists, and in effect on the 25th of May his interpreter and a small party of Caffres arrived at Grahams Town with 53 horses which Gaika had recovered, and the interpreter brought word that his Chief would be able to collect 30 more which he would immediately restore. He also stated that much difficulty had occurred in distinguishing Caffre from Colonial oxen, and therefore he had not succeeded in collecting stolen cattle, but that if such farmers as had suffered might be permitted by their Magistrates to visit the Caffre Kraals, and could recognize their cattle among the Caffre herds, he (Gaika) would give them every facility in his power for their recovery.

There is in this occurrence an appearance of good faith from which the best hope may be deduced, and I am particularly satisfied at the restoration of the horses. The Caffres as yet do not breed horses, and they possess none but by plunder from the Colony; but if they did possess them and were used to their management, with their activity they would be far more dangerous neighbours than they now are.

These circumstances, apparently trivial, have nevertheless caused a strong sensation here, and have raised the hopes of the Colonists who see in them the effect of the protection which this Government affords them; and the prospect which begins to open of having the border settled by immigration from Great Britain keeps up those spirits which the pressure upon us from the sad exigencies of the times had caused considerably to droop.

Mr. Moodie, whom your Lordship recommended to me and who brought with him 50 Mechanicks easily procured for them employment upon terms highly advantageous to themselves, and he is now going to the Zuurveld to examine its capabilities for his

further projects. I shall therefore strain every nerve to keep up the Force on the frontier to its present numbers, being convinced that by giving security to the settlers on the Eastern frontier, they will ultimately be enabled to protect themselves, and thus with a little perseverance and firmness gradually, but slowly, diminish the necessity of keeping a Military Establishment in the inner districts except for the garrisoning of Fort Frederick at Algoa Bay, which must be always strongly occupied. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Return of Troops serving at the Cape of Good Hope on the
25th of June 1817.*

Officers of all ranks	.	.	.	.	.	.	197
Sergeants, Trumpeters, Drummers, and Rank and File:							
Royal Artillery	.	.	.	.	.	.	216
Royal Engineers	.	.	.	.	.	.	11
21st Light Dragoons	.	.	.	.	.	.	864
60th Foot	.	.	.	.	.	.	774
83rd Foot	.	.	.	.	.	.	822
72nd Foot	.	.	.	.	.	.	907
Cape Regiment (Grahams Town)	.	.	.	.	.	.	550
Grand Total							4341
Prize Negroes allotted to the Army	.	.	.	.	.	.	68

(Signed) C. H. SOMERSET,
General Commanding.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, July 19th 1817.

MY DEAR LORD,—My absence from Cape Town till the end of April and several circumstances since my return have combined to retard the transmission of the public accounts of this Colony

up to December 31st last, but I hope now that a very few days will complete them, and that I shall be enabled to transmit them by the first secure opportunity. In the mean time I cannot refrain from transmitting the statement of our Finances up to December 31st 1816. I am not a little gratified in being able to send your Lordship this statement, and I trust when you consider that the Cape Regiment was not reduced at that period, and that the Lieutenant Governor's salary was paid up to that time, in short that no one reduction ordered from home had then taken place, you will think my endeavours to economize our colonial expenditure have succeeded to your expectations. How far we shall be able to stand the struggle we are now to encounter I will not pretend to prophecy, but the annihilating our main export (the Commissary's Bills on England) so encreases the exchange against us, that I cannot be sanguine. I grieve to say that the absence of Cavalry on our Borders has already been felt. It is impossible to render abortive the plundering of the Kaffers without the assistance of that arm. If two, or even only one, squadron of British cavalry could be sent here (the horses and men could be fed at the Colonial expense), their services would be incalculably beneficial and useful. I mention this to your Lordship in a private letter, because I do not like to urge in an official dispatch any measures at variance with the existing decrees and intentions of Government, but we have early expectations of emigration from Europe to a considerable extent, and it becomes therefore of tenfold more importance that that unrivalled country which borders the Great Fish River should be free from the depredations of our savage neighbours. The Chiefs have kept good faith since my conference with Gaika, and had the cavalry remained I am convinced a Kaffer depredation would by this time be unknown.

Permit me, my dear Lord, to say one word more respecting the Barrack Department here. It is one of enormous expense, and a source of great uneasiness on that account to me. When I came here I found three officers employed in it, a Deputy Barrack Master General and two assistants. One of the latter has been vacant within this twelvemonth, but I have been obliged to reappoint to it, because I consider the Deputy Barrack Master General and the senior assistant so incompetent to *good management* that I continue the second assistant in order to have one

efficient officer to manage this expensive Department. I found the other two persons in their situations when I came here. Your Lordship knows what a millstone round one's neck an inefficient officer is. I hope the system I suggested of placing this Department under the superintendence of the Deputy Quarter Master General, with an intelligent Clerk of the Works under him will be adopted.

I expressed myself so fully respecting the species of soldier our little army here is composed of, in my letter to your Lordship of the 21st June last, that I forbear to say more now than that my apprehensions on that subject are by no means diminished.

I must again mention the unnecessary expense of a Lieut. Colonel of Artillery here. We have but 68 Artillery men in the Colony, only 17 of which are at Head Quarters, notwithstanding which there is exclusive of two Captains, (one of whom is a Brevet Major) a Lieutenant Colonel commanding, receiving 20s. per day as Commandant of Artillery, exclusive of his pay as Lieutenant Colonel, an allowance of lodging money of £156 per annum, and forage for three horses. The whole of this I regard as unnecessary.

Your Lordship will, I am sure, pardon the trouble I cause you. I am led to do it by my anxiety in the cause in which I am engaged. Believe me &c.

(Signed) C. H. SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET *to* MAJOR GENERAL
SIR HENRY TORRENS.

CAPE OF GOOD HOPE, *July 25th 1817.*

SIR,—I have the honor to state to you for the information of His Royal Highness The Commander in Chief, that in conformity to instructions received from His Majesty's Secretary of State for the Colonies, (Earl Bathurst) the Cape Regiment was ordered to be disbanded on the 24th day of June last, but in consequence of its being found indispensable to retain a small portion of this force in aid of the defence of the frontiers, and some others

mounted for the purposes of communication since the withdrawing the cavalry from this station, I have reformed the Colonial Corps upon the following Establishment, viz.

One captain,
Two lieutenants,
Two ensigns,
One sergeant-major,
One quarter master sergeant,
Seven sergeants,
Seven corporals,
Two buglers,
One hundred and fifty Privates, Light Infantry ;

And Mounted

One troop sergeant-major,
Five sergeants,
Five corporals,
Fifty privates.

The names of the officers are,

Capt. W. W. Harding, retained from the Cape Regiment.

Lieutenants : O. Stockenstrom, Ensign of Do.

C. H. Somerset, Do. 1st B. 60th Regt.

Ensigns : P. S. Knight, retained from the Cape Regiment.

John van Ryneveld, Gent.

As the men of this Corps will be extremely detached, and as it is found expedient to station one subaltern permanently at the Missionary Institution of Theopolis, (with arms for the Hottentots of that Institution when their services might be required), it is not possible to retain fewer than four subaltern officers.

I trust that His Royal Highness the Commander in Chief may be graciously pleased to approve of this arrangement, and with His Royal Highness's recommendation to His Royal Highness the Prince Regent to have the respective commissions confirmed.

The promotion of Ensigns O. Stockenstrom and C. H. Somerset to be lieutenants arises from the lieutenants of the late corps having expressed their wish to decline this species of service.

Mr. John van Ryneveld is the young gentleman I had the

honor to introduce to the notice of His Royal Highness the Commander in Chief in my letter to you of the 18th of November 1816, and who is noted for a Commission as you were so good to inform me in your letter of the 17th of February last.

I have &c.

(Signed) CHARLES HENRY SOMERSET,
General Commanding the Forces at the Cape of Good Hope.

[Original.]

*Return of Troops serving at the Cape of Good Hope on the
25th of July 1817.*

Officers of all ranks	.	.	.	.	.	.	204
Sergeants, Trumpeters, Drummers, and Rank and File :							
Royal Artillery	.	.	.	.	.	.	216
Sappers and Miners	.	.	.	.	.	.	11
60th Foot	.	.	.	.	.	.	988
83rd Foot	.	.	.	.	.	.	821
72nd Foot	.	.	.	.	.	.	907
Cape Regiment (Grahams Town)	.	.	.	.	.	.	550
Royal African Corps (Simons Town).	.	.	.	.	.	.	426
Grand Total							4123
Prize Negroes	.	.	.	.	.	.	68

(Signed) C. H. SOMERSET,
General Commanding.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 28th July 1817.

MY LORD,—Various Applications have during the last year been addressed to His Majesty's Government by persons who are desirous of emigrating from this Country and forming Establishments in the Colonies; and the Cape of Good Hope has been

more than once selected by them as the one in which they have considered it likely that a Settlement might be attended with Success. I have however deferred giving any particular encouragement to such undertakings or entering into a discussion of the terms upon which the parties were willing to engage in them, because I was desirous in the first Instance of ascertaining Your Lordship's Sentiments as to the success of an extensive Settlement of European Cultivators at the Cape, and as to the Nature and degree of encouragement which it would be possible or probable to afford to them; but as the desire of emigrating continues to prevail, I am anxious to receive from your Lordship such information as may enable me in reply to the several Applicants to state the principle upon which Settlements at the Cape would be established, and the degree of encouragement it would receive.

In affording me such information You will not fail to consider, 1st What Species of Cultivation it would be advisable to promote in preference to others, 2ndly Whether in granting Lands it would be advisable to make a considerable Grant to one Individual who might procure subordinate Labourers for its Cultivation, or whether small Grants to Individual Cultivators would not be preferable.

3dly Whether exemption from Taxes for a limited period could be allowed with safety to the Revenue, and what other encouragements or Assistance you consider adequate to secure the Success of industrious Settlers. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 30 July 1817.

MY LORD,—A Communication having been made to this Office by Mr. Courtenay on the part of the Owners of the *Arniston* Transport upon the Subject of the proceeds arising from the Sale of the Vessel in question, I request Your Lordship would be pleased to give directions that the Amount which is stated to have been lodged in the Lombard Bank at the Cape should be remitted

to Mr. Courtenay, in order that proper Steps may be taken by him for distributing the same among the several Claimants: and I have further to request Your Lordship would at the same time cause Copies to be transmitted to this Country of the Account Sales and proceeds for the satisfaction of the parties interested.

I have &c.

(Signed) BATHURST.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas the lenient principles of His Majesty's Government, seconded by the humane disposition of the inhabitants, have gradually conciliated the fears and the animosity of that unhappy class of people the Bosjesmen, and excited their confidence: And whereas it has appeared to me, that the Bosjesmen have been for some time past, either from poverty, difficulty of maintenance, and removing their children from one place to another, in the habit of leaving such children with the richer and more humane farmers who, from compassion, were willing to receive and maintain such deserted children, until reclaimed by their parents: And whereas there is a tendency to abuse the best principles, and evil disposed persons may be tempted to pervert so good an example:

And whereas it becomes the bounden duty of the representative of a benign and humane Sovereign, to encourage that benevolence and charity which protects the neglected and deserted orphan from destruction, and to punish with the utmost severity, acts of so atrocious a nature, which may induce savage parents, for a paltry bribe, to divest themselves of their natural feelings, and sell their children, or by fraud or force, or even murder, to acquire possession of the children of others for the purpose of sale;

Be it hereby ordered and declared, that unless in the case of imminent danger to the life of the child, no inhabitant, without the previous knowledge of the field-cornet nearest to his residence, shall take, receive, or give any gratuity for a child to his parents, guardians, or others offering to dispose of such child, except in case of some well-grounded apprehension of death to the child, either from famine, irritation of the parents, or any other case

which may induce such inhabitant to believe it necessary for the safety of such child to receive it; in such case, such inhabitant shall, as soon as possible, give notice to the field-cornet of the transaction, with an accurate description of the child, its sex, and supposed age, the names and descriptions of the parents, guardians, or such persons from whom it was received; and shall, if thought necessary, give security to restore the child when demanded, subject however to the subsequent conditions and regulations, under a penalty of 200 rix dollars, which penalty shall be recoverable by process in the court of landdrost and heemraaden, and appropriated to the district treasury. And be it further declared, that if any person be guilty of encouraging, by purchase or by promise, Bosjesmen or other savages to give up their own children, or procuring children by plunder, depredation or fraud, by the laws of all civilized nations, manstealing is the highest offence, and will be punished as elsewhere, to the utmost extent of the law; and that such procurements amount to such offence and crime, and will be punished accordingly.

And whereas it is necessary to encourage a humane disposition in the farmers and residents in the neighbourhood of the Bosjesmen, and other savage tribes;

Be it further ordered and declared, that when any inhabitant, with the knowledge and consent of the field-cornet and landdrost, shall have received any infant under the computed age of five years, and maintained it until the age of ten years; or shall have received any child above the computed age of five years, and under that of eight years, and shall have maintained such child until its computed twelfth year—that in such case it shall be lawful for such inhabitant to apply to the landdrost of his district, who shall apprentice such child, be it male or female, to such inhabitant, by whom he or she may have been so maintained, in case he be willing to receive such apprentice for ten years, provided the landdrost be satisfied that the person to whom the Bosjesman infant is to be so bound is a person of humanity, and one upon whom strict reliance for the good treatment of the apprentice may be placed. And in case the person who has maintained the Bosjesman for the period of eight years, shall not be willing to take such Bosjesman as an apprentice for the term of ten years, or that the person in question be not such upon whose humanity or circumstances the landdrost can place reliance for the

good treatment of the Bosjesman to be apprenticed, then the landdrost is hereby authorised to bind such Bosjesman unto such other humane person, within his district, as he shall think fit for the period aforesaid.

The deeds of apprenticeship (a form whereof will be transmitted to the respective landdrosts) are to be made in duplicate, and to be signed by the landdrost and the party to whom the apprentice is bound; one deed whereof is to remain in the records of the drostdy, in charge of the secretary, and one to be delivered to the master of the apprentice.

The respective landdrosts are hereby ordered to keep an exact register of all Bosjesmen, male or female, apprenticed according to the above-detailed regulations, and to transmit annually the same for my information.

And be it further ordered and declared, that when a child of the computed age of eight years or upwards shall have been received and maintained by an inhabitant until the age of fourteen, that then and in such case such inhabitant shall apply to the landdrost, who shall, under the same rules and regulations, apprentice such boy or girl for a period not exceeding that during which it has been maintained.

And that no person may plead ignorance hereof, this shall be published and affixed as usual.

God save the King!

Given under my hand and seal, at the Cape of Good Hope, this 8th day of August 1817.

(Signed) C. H. SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 10 *August* 1817.

MY LORD,—I have the honour to acquaint Your Lordship that I have been induced to grant to Mr. Beelaerts van Blokland, Secretary to the Court of Justice at the Cape of Good Hope, Leave of absence for the space of One Year, to enable him to attend to the settlement of his private Affairs. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 15th August 1817.

MY LORD,—I have the honour to inform your Lordship that the Count De Las Casas and his son have taken their passage on board the English Brig *Brilliant*, Captain Young, bound to London direct.

Captain Young is the bearer of this despatch, which I have directed him to have put into the Post Office the moment he comes to anchor. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 16th August 1817.

MY LORD,—I have the honour to acknowledge the receipt of a letter from Mr. Goulburn written by Your Lordship's direction on the 3rd January last, giving cover to one from Mr. A. McDonald, Deputy Lieutenant of the County of Inverness, on the subject of certain funds due to the late Mr. D. McDonald, whose estate was administered by the Orphan Chamber at this place, and in reply beg to transmit to your Lordship herewith a copy of a report from the President of the Orphan Board of this Settlement, from which it appears that there remains a balance in their hands at the disposal of the heirs of the said estate to the amount of Rix-dollars 1857..12 sts. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, August 18th 1817.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's dispatch of the 16th of April last in reply to mine of the 23rd January last respecting the Count de Las Casas

and his son, I much regret that I should not have considered your Lordship's instructions conveyed in your dispatch No. 46 as altogether applicable to the circumstances under which the Count and his son were sent to this place by Sir Hudson Lowe. Your Lordship's orders related to such persons as should have been desirous of withdrawing from St. Helena, whilst the Count de Las Casas and his son were arrested by Sir Hudson Lowe, and so sent hither. Sir Hudson expressed to me at the same time that it would be desirable "upon the strongest public grounds" that they should be detained in this Settlement until answers should have been received from His Majesty's Government upon the Count's case. These circumstances and the notices which are more fully detailed in my communication of the 23rd of January have governed my conduct in refusing to facilitate the Count's departure from hence, altho' at his urgent request I had acceded to the grant of passports to his son, which (as I foresaw) were immediately declined. In the mean time, my Lord, every attention in my power and consistent with the peculiar situation of these persons has been afforded them on my part. Upon their first arrival, they were furnished with apartments for a few days in the house antecedently occupied by the Colonial Secretary, when they removed to my residence at Newlands, in consequence of my having offered the Count the use of that Government house during my absence in the Interior of the Colony. They occupied this place nearly three months, were attended by my servants, and every comfort and convenience afforded them, and placed under no restraint whatever (except that Major General Hall was to be made acquainted with the persons who visited them) altho' the Count has since repeatedly applied the term of *Captif* to his situation. Previous to my return home I procured them Apartments in the best house at Tygerberg, about 15 miles from Cape Town, with every convenience which this Country affords and beyond what is usually met with, by every room in the house being provided with a fire place. I enter into these particulars from the certainty I have that the Count proposes to make out a case of grievance, which case will probably be in every point exaggerated.

The Count has frequently complained of ill health, and upon every occasion I have been anxious to furnish him with the best medical assistance, Dr. Barry (who attends my own family and

with whose professional skill the Count has expressed himself highly satisfied) has constantly prescribed for him, but the Doctor's opinion has uniformly been (until the last visit he paid him at Tygerberg) that the Count had not any active disease, and indeed I have good grounds for supposing that altho' at the Count's age he may naturally be subject to occasional ailment, yet that those ailments have purposely been made more of than necessary, and during the last few days when he has come into Cape Town to provide his passage to England (although he stated himself to me to be so ill as to be incapable of the smallest exertion) he has continued daily to go about visiting his acquaintance.

I beg to assure your Lordship that I have not put the Count under any other restraint than that of refusing my consent to his coming to Cape Town and withholding facilities for his departure previous to receiving your Lordship's communication upon that subject.

The Count has now agreed for his passage on board the *Brilliant* Brig, Capt. Young, bound to London direct, and I have given the master a letter to your Lordship with directions to forward it upon arrival without delay, in order that your Lordship may have the earliest notice thereof. I have also apprized Captain Young that his passengers are not to be allowed to land until he receives your Lordship's Instructions, thereby complying with your Lordship's intentions as expressed in your letter of the 16th July 1816.

The Count has latterly made application to me to defray the expense of his passage to England, which I have not thought myself warranted to comply with, as he is not supposed to be in want of means to provide himself with what is necessary, and indeed does not apply for it under that plea, but he makes it a further grievance that he is only permitted to embark in a ship bound to England, and argues therefore that he should not be compelled to pay for what he calls "une continuité de detention." Indeed his letters to me for some time have been troublesome and full of exaggerated and often unfounded complaints, but I have been very guarded in declining to enter into correspondence with him, and I cannot but sincerely rejoice that he is leaving us. The expense of his maintenance has been very burthensome to the Colony, but under all circumstances I consider your Lordship's authority applicable to this case.

I enclose for your Lordship's perusal a copy of the Count's last letter to the Colonial Secretary, from which your Lordship will see the nature of his style and the tone he assumes in the consideration of his own case. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

MONSIEUR,—Je profite de la voie régulière de votre Office pour vous prier de mettre sous les yeux de son Excellence le Gouverneur, que d'après sa direction du 9 du courant, je vais conclure avec le Capitaine Young du Batiment le Brillant, de 236 tonneaux et de 12 hommes d'équipage que je compte si ma santé et celle de mon fils le permettent, m'y embarquer dans la semaine sous les restrictions qu'il m'a signifiées et que je prie de me faire expedier les passeports necessaires.

Monsieur, dès que le hasard m'a fait connoître la decision de S. E. relativement à mon départ qui était que je devois moi même chercher mon passage et pourvoir à sa dépense, bien qu'il soit notoire que l'autorité m'ait envoyé ici contre mon gré et que les restrictions sur les quelles elle permet mon départ en fassent une continuité de détention, sitôt, dis je, que j'ai connu cette decision de S. E. j'ai eu l'honneur de lui écrire, en date du 5 du courant, que tout en m'empressant d'y obeir, je me permettois, chemin faisant, quelques observations. S. E. le Gouverneur ne m'a fait l'honneur d'y repondre. Je suis loin de vouloir accroître ici les arguments sur les quels je fondois mon opinion contraire. Je n'ai pas le projet d'importuner S. E. à cet égard, non plus que de l'amener a une decision differente. Je desire seulement aussi que je le demandois dans ma lettre qu'elle veuille bien me faire connoître son refus officiel et positif de pourvoir a mon passage.

C'est une demande, Monsieur, que je vous prie de mettre sous les yeux du Gouverneur. Je vous prie aussi, Monsieur, de transmettre a S. E. par la même occasion mes remerciements et ma reconnaissance pour toutes les civilités, politesses, et bon traitements que je puis en avoir reçu durant ma trop longue et malheureuse detention dans la Colonie. L'amertume dont S. E. a rempli mon coeur, comme depositaire et organe de l'autorité. Les jours precieux qu'elle a retranché de ma vie, l'affreux état de ma santé qui en est la conséquence ne souroient me rendre injuste

et m'empêcher de reconnoître la noblesse et la grace qu'elle a parfois employé vis à vis de moi. J'ai un vif regret que ma situation m'ait privée de le lui exprimer moi même ainsi que de lui présenter les devoirs et les respects qu'on doit au Gouverneur de la Colonie. Agreez, Monsieur, l'assurance de la parfaite considération avec la quelle j'ai l'honneur d'être, Monsieur, votre très humble et très obeissant serviteur.

(Signé) LE CTE. DE LAS CASAS.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 20th August 1817.

MY LORD,—I had yesterday the honor of receiving Your Lordship's dispatch of the 7th June announcing the Measures which had been taken for removing part of the Detachment which had been stationed at Tristan d'Acunha, and submitting to my consideration whether it might not be expedient to continue to occupy that Island, and I take the earliest Opportunity of acquainting Your Lordship that if the extra Expence of maintaining there a sufficient Detachment for the mere purpose of securing the Sovereignty of Great Britain can be defrayed from the Revenue of the Cape of Good Hope, as I understand from Your Dispatch to be Your Lordship's View of the Case, I can have no difficulty in instructing Your Lordship to retain possession of the Island until further Orders. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 25th August 1817.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's Dispatch No. 82, enclosing the Copy of a Letter which you had forwarded to His Royal Highness the Commander in Chief from Major General Hall, and recommending that an

Allowance of 30 Shillings per diem should be granted to him as Commandant of the garrison of the Cape, from the period of his Arrival, the 1st of January last; and I beg to acquaint Your Lordship in answer that as General Hall has been directed to proceed to the Mauritius, and as it is not intended to replace him by another general Officer, it does not appear to be necessary to make any permanent Arrangement to meet a Charge for such Extra Pay to a General Officer at the Cape. But considering the Expence to which General Hall may have been exposed during his temporary residence in the Colony, I have no objection that such an Allowance should be made to him for that period, as may in Your Lordship's Opinion be adequate to meet the Extra Charge which has been imposed upon him. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 25th August 1817.

MY LORD,—I have the honour to acknowledge the receipt of your Letter of the 19 of May marked *Private*, transmitting to me the result of your enquiries into the state of certain Negroes apprenticed to the late Mr. A. Tennant, and further detailing the Measures which you had adopted for the Comfort and Instruction of that part of the black population of the Colony which consisted of Mozambique Negroes whose period of Apprenticeship had expired. The statement which you have transmitted with respect to the former part is so distinct and clear a refutation of the Charge contained in the paper which I transmitted to you on the 29th June 1816, that it only remains for me to congratulate Your Lordship upon having at hand the Means of giving it so incontrovertible a contradiction. And with respect to the other part of your Letter, I have only to express my entire Approbation of the Measures which you have adopted, and which I cannot but consider as best calculated to render the Individuals who are the subjects of it useful and happy Members of Society, and thus in conferring the greatest benefits upon themselves to promote the prosperity of the Settlement, the real interests of which you have

during the course of Your administration so successfully promoted. I avail myself also of this Opportunity of acknowledging Your dispatch No. 84, and of expressing my satisfaction at finding that the statement of Mr. Fisher with respect to the prevalence of infanticide at the Cape was so utterly devoid of foundation.

I have &c.

(Signed) BATHURST.

[Original.]

Memorandum by MR. JAMES CALLANDER.

CAPE OF GOOD HOPE, *August 1817.*

At present there is a Captain of one of His Majesty's ships with his master and the master attendant of this naval yard on a survey of the Nysna River near Plettenberg's Bay, the former residence of Mr. Callander for upwards of five years when he was examining the forests, bays, and rivers of that part of the Colony by order of Earl McCartney and General Dundas, having left Cape Town for that purpose in December 1798, at which time the Dutch had been in possession of this Colony 150 years without having even put a boat on this fine navigable river and noble harbour. Mr. Callander was at the expence of sending a boat by sea from the Cape to Plettenberg's bay and from thence 24 miles by land on a waggon to the Nysna, where he had built a small house for his residence, and he had no reason to be sorry for the trouble and expence of this boat his utmost wishes thereby being gratified by finding this beautiful river and harbour navigable for ships of large draught of water, having at low water 3 fathoms and at high water 4 fathoms on the shoalest parts of the channel, and having excellent situations for building and launching ships of the largest dimensions, having a fine stream of fresh water to be brought to the situation for a wharf by pipes for the use of shipping and any establishment of a village or town either on the island named Steen Buck a few hundred yards from the intended wharf or contiguous on other ground in the line of the stream.

The intention of this survey is to examine and report for forming an establishment there by placing a resident who is to

have the management of conducting the whole establishment, of taking ships out and into the river, having under his management a certain number of slaves or other men and boats, for the purpose of receiving timber to be shipped to England for the use of His Majesty's dock-yards from these extensive and fine forests. Mr. Callander's local knowledge of the country and people and his perfect knowledge of the river may be an inducement to his being placed as resident.

The safety of shipping going into and out of this river is by having several heavy anchors laid down with buoys for the purpose of warping, on account of the danger of meeting a contrary wind in the narrow channel by sailing in with light fair winds. An instance of this lately happened to one of His Majesty's brigs. But another of His Majesty's ships was more fortunate; she carried her fair wind up to the anchorage. This will generally be the case when the S.E. winds blow fresh which blow right up, but light southerly winds are dangerous to trust to.

And there is no other way of going in when the winds are northerly but by warping, and the best time for this is during the first quarter ebb, before the tide begins to run strong, which it does during the spring tides at the rate of 5 and 6 miles per hour, if much rain has fallen. And altho' the entrance be deep, yet owing to the narrow opening I have seen a high break all across when it has been blowing long at sea, owing to the heavy S.W. swell rolling in on this coast; here is no bay to endanger a ship being embayed, she can at any time stand in, and proceed again to sea.

(Signed) J. CALLANDER.

[Copy.]

Letter from LIEUTENANT COLONEL BIRD *to the* REVEREND
MR. HOUGH.

CAPE TOWN, 9th September 1817.

MY DEAR SIR,—Upon the best reflexion I have been able to give to the subject, which has been under consideration since Mr. Thom's suggestions have been before Lord Charles, I am inclined to think that the good which would ensue from any

coersive measures for the propagation of Christianity among the class of Slaves, is very problematical, and that no practical benefit would be derived from appropriating a place of worship, distinct from the national church for their resort, but that some good, and indeed much good may be done by exhortation from the Pulpit, and the example of such zealous persons who may think it their duty to establish in the interior of their families some system of instruction for that class of Society. This is however but a partial view of an important subject and is not meant to be applied except to the body of adult Slaves. The radical reform, so much wanted, must I apprehend be begun upon with infants, and with these I am inclined to hope it might be undertaken with considerable success, and I will go further and state that I think it the bounden duty of the British Government to pay the greatest and earliest attention to a subject upon which the welfare of this Colony so materially depends. The Laws of the Colony, as they now stand, are obligatory on the proprietors of Slaves to give them instruction in the Christian Religion and there is a heavy penalty on such as permit their Slaves to embrace the Mahomedan faith. These injunctions have been sadly neglected, nor is it here the place to inquire into the causes which have led to the apathy, which too evidently exists upon this serious subject, but it may be reasonably argued, that the enforcement of a System which should have this object in view, in conformity to the Laws as they now stand, would not meet with that opposition, or rather with that counteraction which might be expected, were the prejudices or interests of the Slave proprietary interfered with.

Taking therefore the existing Laws as a basis, I would construct upon that, and enforce the education of Slave Children, (beginning at 6 years old) in the Christian Religion. For this purpose I should propose to erect two Schools in Cape Town upon a large scale, one for Males, the other for Females (for I hold an early separation of the Sexes highly essential to morality). To these Schools it should be imperative upon Masters and Mistresses, inhabitants of Cape Town, to send all their Slave Children from the age of Six Years to that of Twelve, furnishing them with provisions for the day, as I should think it necessary that the Children should not leave the Schools from the period at which they shall open in the morning, till that at which they shall be closed for the Night, nor should a child be excused from at-

tendance on any consideration (certified ill health excepted). Each school should have an extensive enclosed play ground, in which a great part of the day should be passed in those recreations which are so necessary to Children, as to be in fact as conducive to their moral character as to their health and constitutional strength.

It is unnecessary to detail the mode into which the interior of these Schools should be divided, that being an arrangement which it was not the purport of this short Memorandum to enter into, but I proceed to say that under the joint superintendence of the Clergy and higher Civil Authorities, instruction would be here so rapid, that Baptism might in a very short time be administered to the greatest number of the Infants. Thus then a system would be set on foot for permanently establishing a class of men and women, brought up in the Christian faith. It will be seen that I propose that the Infants should continue in this course of instruction from 6 to 12 years, a period during which it is supposed the principles of religion and morality may be so grounded in them, that altho' from the errors evident in humanity, many may be found to fail in their riper years, yet that the early imprinted sentiments may be expected to return even to these, and make the most lasting and beneficial impressions upon the general conduct of the majority. But this is not the only subject I would propose in founding these Establishments (which in miniature I would open in every Town in the Settlement). I should wish to see in them a stepping stone only to replacing in this happily situated country, a free labouring class in lieu of those Slaves, whose unnecessary introduction into this clime, brought with it the germ of an impure faith, and of a relaxation of morality from a contact with which the European descendants have suffered and are suffering in a degree which causes the most painful anxiety to all well thinking heads of Families. Besides therefore the usual rewards to be given to those who shall deserve well in these Schools, which rewards are calculated to excite an emulation, which the general class of Slaves (bereft of hope) is not found to feel, I should suggest that after the first Six years are passed, two from each of the Schools should be annually recommended (whose good conduct throughout the period of their education will justify the Superintendents in so doing) for having their freedom granted them, and that the general Treasury shall bear the charge of

indemnifying the proprietors after taxation by the Magistrates; these freed Slaves should thereafter be apprenticed to such handicraft, as may be most congenial to their several wishes, and a particular eye should be had upon them, and encouragement equal to their diligence be given to them, that they may be held up as examples to those rising in years of the benefit which they likewise may derive from continued good conduct. I would also propose that Slaves educated in those Schools and who of course will have learnt the duties attached to the Social State, shall be allowed to marry with the consent of their proprietors, and that the children of such marriages, (which shall be regularly registered) shall be declared free from their birth, but owing such Services to the masters and mistresses who shall have afforded them protection, clothing and nourishment, till their 8th year as is provided in the cases of Hottentots. But even this will be but small advancement in the proposed reform, unless some method is hit upon, for inspiring that hope of Freedom as the reward of industry and merit, of which as I have before hinted (in the present state of the Law of Slavery) that unfortunate class is bereft. For this purpose I would suggest that so much of the Law should be revised, and with the concurrence of the Court of Justice altered, as prevents Slaves from having personal property of their own. Custom following the dictates of natural right, already allows this partiality, but I would submit that it should be made the declared right of Slaves, and with it that they should obtain that of purchasing their Freedom, whenever their industry shall have enabled them to collect sufficient money to effect it. Nor should the price of the Freedom be left to the discretion or caprice of the proprietor. I should propose that in case of non agreement between the parties, Commissioners of the Court of Justice should be authorised to fix the price, which the Slave should pay for his Manumission, at the same time as a check upon an improper mode of obtaining property, the Slave demanding his freedom should be bound to give a full and satisfactory account to the same Commissioners of the manner in which he has acquired the money with which he proposes to purchase his Freedom, or in failure of so accounting not be suffered to attain his object.

This rude outline will be sufficient to convey to you my view of that part of Mr. Thom's suggestions which relates to the education

of the class of Slaves, it is not so immediately necessary to enter into the other topics of his Letter, but I conclude by saying that I should think that the respectable body of the Clergy cannot do a greater Service to the cause of Humanity generally, or to the interests of this Country in particular, than by taking the subject into their consideration and suggesting their opinions thereon to the Governor, who I have no doubt will be most anxious to meet their views to the utmost of his power. I have &c.

(Signed) C. BIRD.

[Copy.]

Letter from LORD CHARLES SOMERSET *to* MAJOR GENERAL
SIR HENRY TORRENS.

CAPE OF GOOD HOPE, 10th September 1817.

SIR,—Since I had the honor of addressing you on the 25th July last, transmitting the strength upon which I proposed to retain the Colonial Corps of this Settlement, I have found it impossible to dispense with the services of Major Fraser, his local knowledge of the frontiers, the high respect in which he is held by all the inhabitants there, and the unwearied zeal and activity with which he performs the duties allotted to him, have rendered it most politic that I should continue his services; I have therefore retained him as Major Commandant of the Colonial Corps, which, as it is composed of 50 Cavalry as well as 150 Infantry, I trust will be favored with the approbation of H.R.H. the Commander in Chief. I have &c.

(Signed) C. H. SOMERSET, Genl. Comg. the Forces
at the Cape of Good Hope.

[Original.]

Letter from LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 12th September 1817.

MY LORD,—Referring to your Lordship's dispatch No. 75 on the subject of deeds of burghership being granted to such aliens of

good character and conduct who shall have resided here five successive years and in which your Lordship directs certain cases wherein such term of residence shall have been incomplete to be referred for His Royal Highness the Prince Regent's special sanction, I have now the honour to transmit to your Lordship an application with its annexures on behalf of C. W. Thalman, a native of Denmark, who is married in this Settlement, and whose family has been some considerable time here, but who having been necessitated to return to Batavia for the settlement of large concerns in that Island, which settlement from the subsequent surrender of Java to the Dutch authorities having been protracted, his personal residence here during five successive years is incomplete.

Mr. Thalman's agents having purchased property here to a considerable amount, and Mr. Thalman's character being unexceptionable, I venture to solicit your Lordship to submit this request for his being allowed the rights of Burghership of this Colony to His Royal Highness the Prince Regent's favourable consideration. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 13th September 1817.

MY LORD,—The long detention of the African Corps and the inefficient state in point of numbers in which it was found upon its arrival, have occasioned a much longer delay than I could have wished in carrying into execution Your Lordship's orders with respect to the reduction of the Cape Regiment, which will not be finally effected till the 24th of this month.

I have the honour to enclose Your Lordship the Establishment which the Colonial Corps will consist of from that date, which I trust will meet with your Lordship's approbation. The long experience of Major Fraser on the frontier and the confidence which the inhabitants universally have in his discretion and talent

have rendered it expedient that I should keep him in the command on that important and exposed border, and I therefore hope your Lordship will approve of my having retained him in the command of this small corps by which I have secured his useful service in a Station where he has so long given entire satisfaction.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

Establishment of a Colonial Corps of Cavalry and Infantry at the Cape of Good Hope to take place on the disbanding of the Cape Regiment on the 24th September 1817:

Infantry	{	One Major, Commandant
		One Captain
		Two Lieutenants
		Two Ensigns
Cavalry Europeans and Hottentots	{	One Troop Serjeant Major
		Four Serjeants
		Five Corporals
		One Trumpeter
		One Farrier
		One Saddler
		Sixty-five Privates
Riflemen	{	One Serjeant Major
		One Quartermaster Serjeant
		One Armourer Serjeant
		Seven Serjeants
		Seven Corporals
		Two Buglers
		One hundred and Fifty Privates

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 13th September 1817.

MY LORD,—However anxious I have been to reduce the fixed expenditure of this Settlement to as low a scale as possible, yet I find that from time to time variations in that expenditure will occur which it becomes necessary for me to submit for your Lordship's approbation, trusting that Your Lordship will believe that I shall not request your sanction to any alteration or augmentation of expense which I conscientiously believe should be avoided. Thus I beg to have the honour of acquainting Your Lordship that I have been under the necessity of permitting Mr. Diemel to retire from his situation of member of the Court of Justice in consequence of the almost total failure of his sight. Mr. Diemel had been ten years in that laborious situation, he had previously been Deputy Fiscal for many years under that much lamented magistrate Mr. Ryneveld, and Mr. Diemel's whole conduct during a long series of years has been such as to merit the approbation of the several governors of this place under the British Administration. It is impossible to suppose that upon the trifling pittance granted to the members of the Court of Justice anything like a saving can be made, so far from it is the fact, that it is well known that those who have not had means of their own have always been considerably embarrassed. Mr. Diemel's circumstances have not allowed him to provide for the affliction which has overtaken him, and I trust your Lordship will sanction a pension being granted him from this Colony of two thousand Rix-dollars per annum. I have nominated Mr. Fleck, late secretary to the Cape District, to succeed to Mr. Diemel, which I hope your Lordship will approve. Mr. Fleck was brought up in the office of the Court of Justice, and is from education and talent eminently qualified for the situation in which I have placed him.

From the encreasing business of the Fiscal's Department I have found it necessary to allow that officer additional assistance, and have nominated Mr. Lind (advocate at the Bar) to be a second deputy. Assistants with the name of deputies are usual in this Colony, the title giving some privilege in colonial acceptations. I have affixed a salary of three thousand Rixdollars to this situation,

which I have to request your Lordship's sanction to; bearing in mind that although the present appointment is one which does not appear in the Schedule of Colonial Civil servants, enclosed in my dispatch No. 62, yet it is not altogether a new one, His Majesty's Fiscal having been allowed two deputies previous to the separation of Simon's Town from the Cape District.

I am happy to have it in my power to acquaint your Lordship at the same time that these additional items of expenditure will be covered by a saving of more than a like amount from the suppression of the situations of Deputy Secretary to the Court of Justice upon the resignation of Mr. H. Cloete, whose salary was three thousand Rixdollars per annum, and of that of storekeeper to the Colonial Granary which has been found no longer necessary, the pay of which amounted to seventeen hundred and fifty Rixdrs. per annum. There are also two small pensions of six hundred Rixds. each, which have fallen into the Colonial Revenue by the deaths of Mrs. Brand and of Mrs. Gie, widows of the collectors of tithes and land revenues. I beg also to solicit your Lordship's permission to raise the salary of the 1st clerk in the Colonial Secretary's Office from one thousand to fifteen hundred rixdollars; the incessant labour of that office requires the most active and intelligent assistants, and from the high price of everything here the latter sum is not equal to what the half of it would be in England.

There is one more subject of a similar nature to which I beg your Lordship's attention at this moment, it is to be allowed to grant a small pension of about £30 a year (Rds. 300) to the writer of the accompanying memorial, the son of a lieutenant governor of this place, whom the changes of the times have reduced. Mr. Hemmy has been bookkeeper in one of the departments of this Government encreasing years and infirmities oblige him, at past sixty, to retire, and he claims the munificence of the Government under which he is thrown not for his services but in regard to the rank from which, by unforeseen changes, he has fallen. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from HENRY GOULBURN, ESQRE., *to* LORD
CHARLES SOMERSET.

COLONIAL OFFICE, 15 September 1817.

Hans Peter Hallbeck, his
wife and two servants,
Godefried Homig,
John Frederick Hoffman,
Natives of Saxony.

MY LORD,—The persons whose names are mentioned in the Margin, are proceeding to the Cape of Good Hope to be employed in the Service of the Missionary Society, and I am directed by Earl Bathurst to recommend them to Your Lordship's protection.

I have &c.

(Signed) HENRY GOULBURN.

[Original.]

Letter from J. BECKETT, ESQRE., *to* LORD BATHURST.

DOWNING STREET, 15th September 1817.

MY LORD,—I have the honor to transmit to your Lordship an extract of a letter from Lord Charles Somerset to my predecessor Mr. Manners Sutton, to which I beg leave to call your Lordship's attention.

I take the liberty of referring your Lordship to a correspondence which took place in September 1814 respecting a similar question from the Island of Trinidad, upon which the opinion of the law officers of the crown was taken, and from which your Lordship will be aware that the question, whether or not the military are amenable to the courts of ordinary Criminal Jurisdiction in a Colony, depends upon the existing law recognized in the Colony.

Altho' therefore Lord Charles Somerset intimates in his communication that in point of practice the course has been to try offences of every description committed by military persons, by military tribunals, it will be more satisfactory to me to ascertain from your Lordship's office, before I reply to Lord Charles Somerset's letter: whether the courts sitting at the Cape of Good Hope follow the law which was in force in the Colony before its

surrender to His Majesty, and if so, whether by that law the military are held not to be amenable to such courts?

I have &c.

(Signed) J. BECKETT.

[Copy.]

Letter from LIEUTENANT COLONEL BIRD *to the*
REVEREND MR. HOUGH.

CAPE TOWN, 17th September 1817.

MY DEAR SIR,—As every thing which looks like innovation is justly liable to attract particular notice and criticism, it is not to be expected that the serious reform which in my Letter to you of the 9th I ventured to hope might be effected in the moral and religious feelings of the class of Slaves, by the introduction of a system of Christian education (with its consequences as very briefly therein hinted) will not excite much comment, and perhaps alarm some who may not see the advantage which will necessarily result to the Slave proprietors from the adoption of the Measures which I have suggested. I wish therefore to meet the principal objections which I have heard urged to the plan, and to shew you that the interest of Slave proprietors has been more consulted in it than perhaps strict justice warranted, while innovation in the correct sense of the word has been cautiously avoided. It is then said that holding out freedom to infants born of Slaves possessing the Christian faith, and regularly married, strikes at the root of the best property of the Colonists, but the Law as it now stands offers freedom to such Slaves as shall have been accepted Members of the Reformed Church (or divests the proprietor of the right of disposing of the Slave by Sale, which is nearly the same thing) and it is incumbent by the same Law on Masters and Mistresses to instruct their Slaves in the Christian Religion, in order that they may be led to embrace it; now then if the Slave proprietors did what the Law prescribes, and what unquestionably the dictates of religion and conscience point out

that they ought to do, that is, bring up their Slaves in Christianity, even the adult Slaves of the present generation would no longer be to them transferable property, but should the plan suggested be carried into effect, it is evident that the property of the Slave holder is farther continued to him than it is by the Law as it now stands, that is, the immediate liberation of the Christian Slave is not stipulated but only the liberation of the infant born of Christian Slave parents united in marriage according to the principles of that faith which it is the duty of the proprietor by the Law and by his own principles to educate him in; if it be said that the Law does not allow Slaves to enter into the Marriage Contract, I reply that I am not aware that such a regulation exists; but if it be deducible from the old Laws respecting Slavery, I apprehend it may be fairly argued that such part of the old Law was unquestionably abrogated by the more recent regulation which makes it incumbent on Masters and Mistresses of Slaves to bring them up in the Christian faith; for it would be absurd to assert that Slaves are to be made Christians and denied the privilege of marriage which Christians are taught "to be a holy Estate instituted by God and adorned and beautified by Christ," and "are assured that as many as are coupled together otherwise than God's word doth allow are not joined together of God, neither is their union lawful," since if the privilege of marrying be denied them, the class of Slaves is naturally driven into that system of pernicious intercourse and concubinage which is so much to be deplored in our present state of society, which it requires a great and generous effort to counteract and which in point of fact must render nugatory giving them a Christian education. But it will be said that the custom of the Colony not having hitherto been to give slaves a religious bias, the Laws quoted have become obsolete, and that their revival under present circumstances is in reality attempting to establish a new order of things; this I deny for two reasons, the first of which is that Laws founded on the rock of Justice cannot by disuse become obsolete; upon that however I will not dwell, but assert secondly that the reason why the Slaves of this Colony have not been instructed as the Law directed, has been the want of means to give them that instruction, and not any want of zeal in many of the Slave proprietors. Scattered as the population here is, few as the Ministers of Religion have been in so widely extended

a Country, even the class of Whites has scarcely been able to receive sufficient Instruction, how then could persons of this class communicate instruction to totally uninformed Slaves of whose language even they were ignorant? Other times have succeeded; the happy and total stop put to the importation of fresh Slaves will shortly do away the distinction of language, and the means being now held out to the Slave proprietor of giving to Slave children an education which must fit them for their subordinate duties far better and more advantageously than by the present dissolute mode of bringing them up, will any thinking man hesitate as to what it is his interest to do?

If then the advantage of the new System be, what I believe it to be, greatly in favor of the Slave proprietor, it remains only to shew that it is essential, solid advantage should be held out to the Slaves themselves. Religion being a natural propensity in man, it has been found that debarred access to the Christian Temples, the Slaves have in great numbers embraced the Mahomedan faith, and it is worth the serious reflection of the Slave proprietor that one of the leading sentiments inculcated by that faith is a detestation of all such as adhere to Christian tenets, and that consequently exclusive of other arguments it is highly dangerous to himself that he should foster such enemies as it were in his own bosom; but numbers of the Slaves being already Mahomedans it certainly requires some strong temptation to be held out to them to prevent their not endeavouring to counteract a system to be established for bringing up their Children in another (and that a hated) faith. For this purpose then it has been proposed to hold out the allurements of their being allowed to possess the fruits of their own Industry, subject to giving a rigid account of the mode in which they shall have acquired them, and the still stronger enticement arising from the hope which they may thenceforward cherish of obtaining their freedom at a fair rate as the reward of their own exertions.

Even these may be found inadequate to the purpose intended, for what is more difficult to control than Religious Enthusiasm, and yet if this is considered too much, with what prospect can farther temptation be proposed for the attainment of so desirable and essential a point?

I am sensible that there may be other arguments which will require refutation in the discussion of this interesting subject, but

I think the objections I have stated to be the principal ones, and I believe them to be briefly but satisfactorily answered.

I remain &c.

(Signed) C. BIRD.

[Office Copy.]

Circular Letter issued by the Colonial Office.

COLONIAL DEPARTMENT, DOWNING STREET,

1817.

SIR,—I am directed by Lord Bathurst to acquaint you, in reply to your Letter of the that His Majesty's government have ceased to give any encouragement to individuals desirous of proceeding as Settlers to His Majesty's Colonies abroad, beyond a grant of 25 Acres of Land, in the Colony which they may select, and that they are neither to expect a passage at the expense of Government nor any assistance after their arrival in the Colony.

Lord Bathurst is however ready to receive proposals from any persons willing to undertake, either in person or by their Agents, the cultivation of larger grants of Land, either at the Cape of Good Hope, or in the North American Provinces, under the following conditions :

Such grants will only be made to those who can engage to take out and locate upon the Land granted, Ten Settlers at the least, and the quantity of Land granted in each case, will be in the proportion of 100 Acres for every Settler proposed to be taken out.

In order to prevent any evasion of this condition, the person applying for a grant of land will be required to pay down a sum at the rate of £10 for every Settler, which sum will be repaid to him so soon after his arrival in the Colony, as the Settlers shall have been located upon the land assigned.

I am only further to acquaint you that in case of your being willing to undertake the cultivation of land under these conditions either at the Cape of Good Hope, or in North America, and in the event of your proposal being approved by his Lordship, a grant will be made to you free of expense, and the necessary tonnage will be provided for the conveyance of yourself or your Agents and the Settlers whom you may have engaged to accompany you. The

expense of victualling the Settlers will be to be defrayed by yourself. I am &c.

[Office Copy.]

Letter from HENRY GOULBURN, ESQRE., *to* LORD
CHARLES SOMERSET.

COLONIAL OFFICE, 22nd September 1817.

MY LORD,—This Letter will be delivered to Your Lordship by the Revd. Mr. Faure, who proceeds to the Cape of Good Hope with the view of settling there, and of succeeding to any clerical situation which may become vacant in the Dutch reformed Church.

Mr. Faure has exhibited satisfactory testimonials of his ability and Character, and I beg to recommend him to Your Lordship's protection. I have &c.

(Signed) H. GOULBURN.

[Original.]

*Return of Troops serving at the Cape of Good Hope on the
25th of September 1817.*

Officers of all ranks	164
Sergeants, Trumpeters, Drummers, and Rank and File :	
Royal Artillery	79
Sappers and Miners	11
60th Foot	857
83rd Foot	774
72nd Foot	891
Royal African Corps (Grahams Town)	424
Cape Corps { Cavalry (Cape Town)	78
{ Infantry (Grahams Town)	169
	<hr/>
Grand Total	3447
Prize Negroes	68

(Signed) C. H. SOMERSET, General Commanding.

[Original.]

Letter from W. J. BURCHELL, ESQRE., to EARL BATHURST.

FULHAM, 4 October 1817.

MY LORD,—It is with much hesitation that I venture to intrude on your Lordship's valuable time for the perusal of this letter, and I will as briefly as possible explain the object of it.

About two years ago I had the honor of being the bearer of a letter from His Excellency Lord Charles Somerset to your Lordship, in which I believe his Excellency stated that I had discovered *Orchilla weed* growing in the Colony of the Cape of Good Hope, and that he had in consequence allowed me a lease for the exclusive collecting of it for a term of years, and, as I then understood, submitted to your Lordship the propriety of reducing the duty payable on its importation into England, with a view to the encouragement of an export trade from that Colony. But as I afterwards considered the success of the speculation very doubtful, I did not trouble you on the subject at the time of presenting that letter. Since then my agent at the Cape has sent me a quantity weighing about two tons and a half as a first experiment, the result of which has been so discouraging that several months ago I judged it prudent to resign the grant. This *Orchilla weed* proving of an inferior quality, has been laying nearly a year in the warehouses without finding a purchaser: at length however my broker informs me he has found a person willing to take it (duty paid) at £38 per ton, and has accordingly sold it at that rate, which is not more than one third of the usual average price of that article in the British market, and will not do more than repay the freight and warehouse expenses; so that I must inevitably suffer a loss of the total expense of collecting, which, from it being a new undertaking in that country, has been disproportionately great. Whether to this loss must be added the amount of the duty, which is £16 12s. 6d. per ton, or whether I may entertain a hope, through your Lordship's obliging interference in my behalf with the Lords of the Treasury, that the whole or even a part may be remitted (*in this one instance only*) is the inducement I have had for presuming to trouble you with this letter. But should the request appear improper, and I fail in obtaining the object of it, I have already experienced so much

condescending attention on a former occasion that I shall ever consider myself, My Lord, your Lordship's &c.

(Signed) WM. J. BURCHELL.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 10th October 1817.

MY LORD,—I trust your Lordship will excuse any deficiency of information I may shew on the important subjects of this letter and make allowance for my want of means of reference to the actual state of the trade as it now stands or the terms and prices on which the British West India Islands can be supplied from the remaining provinces of North America and Great Britain; but as I observe that the United States of America threaten our Colonies with withholding supplies which they believe to be essential to their existence, or which amounts to the same thing, place heavy duties upon the exports of them by our Merchants, I beg leave to remind your Lordship of what I believe this Colony to be capable of and to express my hope that your Lordship will foster the Agriculture of this Colony in corn and its other produce as much as you have in wine.

Wheat, Corn, Barley, Rye, and Indian Corn with every species of the Bean and Pea is here produceable to any extent. In ordinary times Great Britain can hardly supply itself with those products, and its export of them to the West Indies has been limited by Acts of Parliament. I am not vain enough, my Lord, to do more than attempt to point out subjects of enquiry to your Lordship, nor do I wish to seek partial advantages to this Colony at the expense of the Empire at large: but when from such imperfect documents as I possess and stimulated by the threatened conduct of the Americans, I am led to think that a protection advantageous to the general interests of the Empire and highly beneficial to us, may be afforded to this Settlement, I beg leave to state in the strongest manner to your Lordship, that if none but British vessels are employed in the trade, neither the Navigation Act or the Interests of ship owners in Great Britain can suffer by permitting a direct intercourse between the Cape and

the West Indies. Bread, Flour, Fish, Rice, Almonds, Raisins, Wine, Dried fruits, Salt, and Beef, this Colony is capable of supplying to the West Indies at cheap rates, provided it be rendered consistent with the Plantation Acts; and when I consider what little advantage the Mother Country derives from most of those articles, I trust your Lordship will endeavour to procure the necessary sanction to the admission of them from hence to the West Indies as articles of direct commerce, but if Beef, under present circumstances, be not admissible, I think it right your Lordship should be in possession of my opinion that after a certain notice and with due encouragement it is attainable from hence to any extent.

A permission to import direct Sugar, Coffee, Molasses and some other miscellaneous articles to such extent and under such restrictions as His Royal Highness the Prince Regent shall approve, would diminish the value of our exports to the consumer and give to our Merchants an advantageous back freight. Your Lordship will take into your recollection that we are at present supplied with those articles, not through Great Britain, but by a direct commerce with the countries producing them.

I feel satisfied, my Lord, that whether the encouragement of the Agriculture of this Colony, the cheap supply of the West Indian Islands or the policy of counteracting America be taken into consideration, it is my duty to submit to your Lordship what has occurred to me, and to request that these my suggestions, should you concur in their propriety, may meet your favourable representation of them to His Royal Highness the Prince Regent; and your Lordship will permit me to add, that as I have hitherto, to the utmost extent of my power, thought it my duty to adhere strictly to the Navigation, Plantation, and other Restriction Acts, frequently complained of by the Colonists, it would give me great satisfaction to conciliate their affections to His Majesty's Government by honourable measures, and such as, if approved of, will contribute to benefit the general interests of the Empire.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 10th October 1817.

MY LORD,—In my dispatch No. 62 I have attempted to explain to your Lordship the whole interior of our Establishments as they stand, and all the means I possessed of governing and conciliating the inhabitants of this Colony. I trust your Lordship will not deem it vanity which induces me to state that every year of my administration has been marked by the growing prosperity of the Colony, or flattery, when I state to your Lordship how much I feel due to you for the protection of our Wine Trade and the other facilities my administration has received.

My motive, my Lord, for this statement is to solicit your most serious attention to a measure I think it my duty to propose, and to express my confidence that the support I have hitherto received will be extended to the proposition I think it my duty to make, founded upon the dispatch alluded to, and rendered more practicable and necessary by the prosperity of the Colony. The Agriculturists and Merchants are acquiring a weight in society from their property, which, upon comparison, renders all the public officers (except those whose salaries have been fixed in England) extremely unhappy at their general declension and loss of influence in society. For example, the Chief Justice has an income of 6000 Rixdollars per annum as Chief Justice, which at the present rate of Exchange produces not more than £520 Sterling. The other members of the Court of Justice have 3250 Rixdollars each, producing £282 per annum. Sums so disproportionate to the trusts reposed in a most respectable body of men, so incompetent to their support, and so inadequate to the remuneration due for the qualifications required of them, and for intense and constant application, that their continuance could only have been sanctioned from our want of internal means of defraying an increase, and the consequent apprehension of calling upon the Home Government for any aid towards the discharge of our interior expenses.

The several civil servants of this Government have frequently and candidly laid before me their distresses, but except a few, and those extremely pressing, instances I have been under the

necessity of putting off their claims from day to day, assigning however the fair reason that the necessary expenses of the Government absorbing the Revenue, there were no means at my disposal for meeting an increase of Colonial salaries. Besides, tho' I felt that the officers whom I have mentioned were in a state of great distress, I was aware that most of the other servants (especially those of the higher class) were similarly situated, and that I could not act partially in the case; I could not relieve one set of them with justice to the rest. But now, my Lord, that I have been finally enabled on the 24th of last month to complete the reduction of the Cape Regiment, which will effect a permanent saving to this Establishment of Rixdollars 250,000 per annum, I lose no time in doing the civil servants of this Government the justice to lay their situation and claims before your Lordship, and urgently to solicit your Lordship to obtain His Royal Highness the Prince Regent's sanction to their salaries being increased according to the schedule herewith transmitted.

I repeat, my Lord, here what is strongly confirmed by the recent publication of Mr. Raffles, late Governor of Java, that under the old administration of the Dutch Company all salaries were low, and their servants were reimbursed or reimbursed themselves by monopoly or speculation. As all fees are abolished and, I trust, no such undue advantages are now attainable, it becomes the duty of the representative of the Crown to propose for the servants of the Crown and the public a decent maintenance suitable to their respective situations in life, and to place them above contempt or neglect which generally attaches itself to poverty, and to secure their fidelity to an honorable discharge of their duty by relieving them from the temptations to which poverty might expose them. In the schedule I herewith transmit I have done no more.

I enter not, my Lord, into a detail of the merits and claims of the several officers whose salaries I solicit from your Lordship the power of augmenting, that has been done in former communications. Under some circumstances I have been compelled by necessity to secure the continuance of men's services by trifling augmentations of salary, in others I have solicited your Lordship's sanction before I acted, but I now think it my duty to propose to your Lordship a general augmentation of the salaries of such officers as it is essential to render easy in their circumstances

and happy in their situation. Every partial recommendation I have made has led to applications and explanations from those who fancied themselves equally entitled, and indeed whose situations and services appear to have given them equal claims. And, my Lord, I have felt it my duty to go attentively again over the list of civil servants whose salaries have not been fixed from England, and to avoid all appearance of partiality or preference to submit to your Lordship at one view what I think ought to be done for the honor and the advantage of Government. I cannot, my Lord, bring my mind to consider this Colony but as a growing infant, of which the institutions and arrangements must follow and keep pace with its growth and that for some time the good sense and zeal of the Governor for the time being must be incessantly employed to watch the changes necessary to meet the new contingencies as they arise and that his independence must be upon the honorable representations of those whose duty it is to lay his conduct and services before His Royal Master, and the favorable construction put upon his exertions. I am always most happy to economise when I deem economy the public interest, but I own, my Lord, I feel that the clergy, the judicial authority, and the Magistracy, with the higher officers of the local revenue should participate in the general growth of wealth in this Colony, and it is essential that men of talents and abilities should have temptations held out to them to devote themselves to the public service. In a Continental Colony I should deem it wise that such local authorities as must be entrusted to the natives should be rendered respectable, objects desirable by enterprising men of talents, and that they should be gradually taught to identify themselves with the interests of Great Britain rather than be carried by an indifference for their situation or common poverty into a common feeling with the people who surround them, and that they should lead rather than be led by popular feeling.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

Schedule of proposed increase of salaries to the civil servants at the Cape of Good Hope, calculated in Rixdollars.

Employment.	Present Salary.	Proposed Salary.	Remarks.
	<i>Rds.</i>	<i>Rds.</i>	
President of Court of Justice	6,000	12,000	There are eight.
Members of do.	3,250	6,000	
His Majesty's Fiscal . . .	10,000	15,000	
President of the Orphan Board	4,000	6,000	There are four.
Vice-President of do. . . .	1,500	2,500	
Member of do.	1,000	1,500	
President of Government Bank	6,000	..	{ No increase, having been lately fixed.
Members of do.	1,600	2,500	
President of Insolvent Estates Board	3,000	5,000	
Members of do.	2,250	3,000	There are two.
Secretary to do.	4,000	5,000	
Receiver General	3,000	6,000	
Deputy do.	1,200	2,000	
Collector of Land Revenue .	2,700	4,000	
Deputy do.	1,000	1,500	
Collector of Tithes	2,000	4,000	{ No increase submitted, being to be paid also from the General Post Office.
Book-keeper to do.	600	1,000	
Postmaster	2,500	..	
Superintendent of Printing Department	1,200	..	
Harbour Master of Simons-town	2,000	..	
Inspector of Lands and Woods	5,000	..	
Surveyor and Inspector of Government Buildings . .	5,000	..	{ No increase submitted, these Salaries having been fixed since the British Administration.
Wine Taster	3,000	..	
Gauger	1,500	..	
Inspector of Vaccine Institution	1,800	..	
Inspector of Enregisterment of Slaves	3,500	..	
Deputy Fiscal	4,500	..	
Second do.	3,000	..	There are seven.
Landdrosts	3,500	6,000	
Deputy do.	1,500	2,500	
Resident at Simon's Bay . .	3,000	5,000	There are four.
Clergy	1,500	2,500	
			There are twelve.

[Copy.]

*Letter from CAPTAIN JONES to REAR ADMIRAL PLAMPIN.*H. M. SLOOP *Griffin*, ST. HELENA, October 17th 1817.

SIR,—I have the melancholy duty to inform you of the wreck of His Majesty's Sloop *Julia*, and her total loss with fifty-five of her invaluable officers and crew, which happened under the following circumstances.

Finding the establishment on Ascension, as well as His Majesty's Sloop under my command, in want of provisions, water, and stores to complete the buildings, &c., in conformity with your orders, I sailed from that place on the 15th of September, having then on board barely five weeks provisions and eight tons of water, leaving the establishment a month's provisions.

On the 28th Ultimo I made Tristan D'Acunha, and in consequence of bad weather, cruized off it till the 1st of October, when with a light breeze from N.W. b. W. and beautiful weather, I anchored in 17 fathoms water about two miles off shore, in apparently an excellent Berth.

After seeing the brig in a state to slip and make sail, and directing the 1st Lieutenant to do so on the least appearance of bad weather, or a sea setting in, I went on shore to give directions as to the stores, &c., required; at 6 p.m. I left the boats taking off stores and water, ordering, that to make the most of the extremely fine weather, they should continue working till 8 o'clock, and that my coxswain should inform me when the last turn went off that I might return to the brig. At 8 the yawl left the shore with water. At half past 8 it was impossible to launch my boat, so suddenly had the sea set in. At this time I could not say how the wind was, there being so little of it, the brig as far as a dark night would allow me to judge rode pretty easy.

At half past 3 A.M. I was awoke by the dreadful report of H. M. brig being on shore, and on running to the beach, I found her so perfect a wreck that her Larboard Bow was laying under her Starboard Quarter. And after every exertion (which I trust will appear to my country) out of eighty-four men and officers, including myself and boat's crew, I only mustered twenty-nine. The accompanying is a general list for your information.

From the survivors I learn that at half past 2 A.M. with a

sudden plunge she parted the small bower, carried away the jib-boom, and tore in the three foremost ports. The best Bower was let go and veered to the clinch; before the remains of the small bower cable could be bent to the sheet anchor, the other parted, and not having the least wind to give them a hope of getting off the land, the officers agreed on the propriety of running her on the beach; orders were given to cut the mainmast away, but before it was done she grounded, and was lifted by one sea to within ten yards of the beach. The mainmast fell in shore, by which the survivors escaped, the second sea stove in her decks, and parted her by the main hatchway.

With the exception of a sheet anchor, two or three guns, and some junk, nothing public or private is saved.

Under the circumstances of Ascension being in want of provisions, and without a guard ship, the wreck of the *Julia*, and Captain Roberts having invalided, I thought it advisable to request Captain Wright in the *Griffon* to return to you, which I trust will meet with your approbation. I am, Sir, &c.

(Signed) JENKIN JONES,
Commander of H. M. late Sloop *Julia*.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 18th October 1817.

MY LORD,—I have the honour to acknowledge the receipt of your Lordship's Dispatch of the 13th June last (No. 20) with its several enclosures relative to a claim preferred by the widow of the late Deputy Commissary Hill to an allowance being made to her in consequence of her husband having, while acting as head of the Commissariat in this Colony, victualled the Cape Regiment, and stating that it will give your Lordship pleasure if the distresses which Mr. Hill's death and the circumstances which preceded it have brought upon his family can be relieved by the admission of this claim without its establishing an inconvenient precedent. In reply to which I beg to assure Your Lordship that no one can more sincerely feel for the accumulated misfortune which the

unfortunate occurrences at the Isle of France have plunged Mr. Hill's family into, and that I am second to none in acknowledging his meritorious conduct while serving in the Army under my Command; but nevertheless, My Lord, I am unaware how a claim of this nature can be partially admitted. Mr. Hill, previous to his having quitted this Establishment, urged this claim to me, and I then told him that I did not conceive it within the scope of my authority and I must now add that as Mr. Hill's immediate predecessor performed the same duties and as his successors will always more or less have the victualling of that portion of the Force of this Colony (however composed) which must continue to be employed on the Eastern Frontier, should it be thought just to allow an additional pay for this peculiar service I do not think it can be refused to those who have or shall perform similar services; and it is also my opinion that the principle once laid down, that every particular description of Force is to have a separate Commissariat, may lead to very dangerous and inconvenient pretensions. I can however add with unfeigned sincerity that it will afford me the greatest satisfaction to learn that some means have been hit upon for relieving the widow of a highly deserving public servant, labouring under unparalleled distress. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from REAR ADMIRAL PLAMPIN *to* J. W. CROKER, ESQRE.

HIS MAJESTY'S SHIP *Conqueror*, ST. HELENA ROADS,
19th October 1817.

SIR,—Altho' I am in daily expectation of the arrival of the *Melville* and *Iphigenia* from the Cape on their way home, I think it right to send by the *Borodino* Transport, which sails to-day with invalids from the Cape, to communicate to you, for their Lordships' information, the melancholy news of the loss of His Majesty's Sloop *Julia* at the Island of Tristan D'Acunha, in the night of the first of this month, the particulars of which are detailed in the copies I herewith enclose.

The *Griffon* which I had sent early in September to Tristan D'Acunha, for the purpose of conveying stores to the Cape, before

her departure for England, fortunately arrived at Tristan two days after the accident, and returned here with the few survivors on Friday the 17th Instant. I have &c.

(Signed) ROBT. PLAMPIN,
Rear Admiral and Commander in Chief.

[Original.]

*Return of the Troops serving at the Cape of Good Hope on the
25th of October 1817.*

Officers of all ranks	.	.	.	.	.	.	.	131
Sergeants, Trumpeters, Drummers, and Rank and File:								
Royal Artillery	.	.	.	.	.	.	.	79
Royal Engineers	.	.	.	.	.	.	.	11
60th Foot	.	.	.	.	.	.	.	853
72nd Foot	.	.	.	.	.	.	.	896
Royal African Corps (Graham's Town)	.	.	.	.	.	.	.	527
Cape Corps	{	Cavalry (Cape Town)	.	.	.	.	.	78
		Infantry (Graham's Town)	.	.	.	.	.	169
Grand Total	.	.	.	.	.	.	.	2744
Prize Negroes	.	.	.	.	.	.	.	46

(Signed) C. H. SOMERSET, General Commanding.

[Copy.]

*Letter from the Colonial Secretary to the Commissary
of Vendues.*

COLONIAL OFFICE, 6th November 1817.

SIR,—I have received and laid before his Excellency the Governor your letter of the 30th ultimo, notifying the death of the senior auctioneer J. Seigneur, and recommending as his successor F. F. Pool, and am directed to signify to you his Excellency's approval thereof.

Referring to my letter of the 6th of December 1816, in which

I was directed to communicate to you that a new arrangement would be made upon the decease of J. Seigneur, with respect to the emolument drawn from the vendue profits by the auctioneers, which, up to this period, have been five twelfths per cent from the amount of one and a half per cent on sales of moveables, and of three fourths per cent on sales of immoveables; I am now to acquaint you, that taking into consideration the net receipts of the auctioneers for the last three years, allowing also for the risks they are supposed to incur, his Excellency has thought proper to fix their future receipt at one ninth per cent on the amount of five and two and a half per cent on the sales of moveables and immoveables as aforesaid, which arrangement is to bear date from the 1st of the present month. I have &c.

(Signed) C. BIRD.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, *November 12th 1817.*

MY LORD,—I was under the painful necessity in June last of calling your Lordship's attention to the perilous situation into which this distant Settlement was likely to be thrown by the description of men I then learnt was about to be sent hither to complete the number of the first Battalion of the 60th Regiment. If with the reduced force of my command the composition of this Battalion was matter of serious apprehension, how much greater must my anxiety have become when I found that the Royal African Corps, composed as the former, of the most desperate criminals, had arrived here to replace the 83rd Regiment since gone to Ceylon.

I should immediately have expressed to your Lordship the general feeling of alarm, I might say consternation, which these arrivals caused throughout this community had I not written in very strong terms in the secret dispatch above alluded to, and a reference to my former correspondence will prove to your Lordship that the present communication is founded on no sudden impression, but is only a confirmation of my former apprehensions, indeed the increasing number of atrocious crimes committed by these troops (which the utmost zeal and diligence in their officers is unable to control) renders the state of society here, where part

of the 72nd Regiment and some Police are our protection, extremely insecure, while the conduct of that proportion which I have been under the necessity of placing on the Eastern Frontier has not only overset all the measures which I had adopted for the pacification of that disturbed Quarter, but has caused such terror in the interior that so far from being able to persuade settlers to repair to those fertile districts, even those who remained are taking measures for abandoning a Country where their lives and property are in imminent danger, not only from their old enemies the Kaffers, but more so from those who have been placed there for their protection.

I have by this opportunity reported the conduct of these men to His Royal Highness the Commander in Chief, transmitting a statement tending to shew their disposition and the nature of the atrocities committed almost daily by them, a copy of which I have the honor to enclose to your Lordship. I trust that your Lordship will communicate at your earliest convenience with His Royal Highness and urge such measures being speedily adopted as shall tend to tranquillize the minds of His Majesty's subjects in this interesting Settlement, by removing from hence this dangerous class of force and replacing it by British Regiments upon whom a Commander with pride places his entire reliance.

It had created in me the most pleasing feelings to know that the measures which I had ordered for the tranquillization of the Frontier were succeeding almost beyond my hopes. The vigor and lenity of the Government had reduced to obedience and to a state of quiet those turbulent Inhabitants who took up arms only 18 months since with the view (as your Lordship will recollect) to the Massacre of the Magistracy and the Garrisons, and the delivery of the finest part of the Country to the Kaffers. The Kaffer Chief Gaika had exerted himself according to his promise (made personally to me) and had sent in a large number of horses and several herds of cattle which had been carried off by Marauders of his Nation, the number of predatory incursions was very considerably diminished, and an entire good understanding between us and the Kaffers was confidently looked to. Already had that Chief applied to us for Agricultural Implements and Seeds with the view of introducing the first art of life among his countrymen, when the notorious misconduct of the Troops on the Frontier, of which the Kaffers have the earliest information through their constant communications with the Hottentots of the Borders, appears to

have induced a different feeling in that people, not indeed in Gaika himself, who has in the latest instances evinced the strongest marks of good faith, but the robberies and murders have since been renewed so as to leave no doubt but that those have been influenced by the conduct of the troops.

Amongst the various crimes which induced this urgent representation your Lordship will observe that the stores entrusted to Guards have been plundered, that Prisoners under escort have been aided by a part of the Escort, have overpowered the remainder, and taking the ammunition from them have proceeded to commit the greatest outrages in the country, including Highway Robbery, Burglary, and Murder. Important and vital to the British interests here as is the tranquillity of our Border, I would that my apprehensions of danger went no further, but it is with concern I have to call your Lordship's attention also to the instance of *habitual* theft as well as atrocity committed by that portion of the 60th Regiment (who arrived here in June and July last and are of a similar description to those of the Royal African Corps) who are not employed on the Frontier and whose arrival caused my troubling your Lordship with my dispatch (secret) of the 21st June last. It is a duty I owe to His Royal Highness the Prince Regent and to your Lordship and to myself not to withhold from your Lordship the feelings their conduct has created here, but I learnt this day only from the most undoubted authority (Mr. Stoll the Magistrate of the Cape District) that the employing this description of Soldier in this Colony, and the enormities they have committed, has (to use the very words of my information) "caused more discontent than any act the British Government could commit towards the Colonists," and that many of the most respectable inhabitants and warmest adherents of the British interests had expressed themselves with great warmth and dissatisfaction on the subject. In addition to all this a report has reached me since I commenced this despatch, that the Sentinel from his post and a part of the guard (composed of the 60th Regiment) over the Convicts at Robben Island have liberated the Europeans confined there, when seizing a boat they have possessed themselves of the merchant ship *Elizabeth* (mounting six guns) and proceeded in her to sea. Your Lordship will feel the dilemma in which these circumstances must place me.

Should desertion take place from amongst these Troops on the

Frontier to the Kaffers, a very few enterprizing intelligent men would have it in their power to lay the foundation of a predatory Government and systematize the undisciplined Kaffers who are at once numerous and brave, and thereby cause such annoyance to this Colony as might take years and much effusion of blood to subdue. It would therefore be most essential that I should recall the Royal African Corps and that part of the 60th Regiment composed of the same materials from the Frontier, yet if I bring the two Battalions together at this place the outrages which it is evident they would commit would force me to arm the Burghers and form a Militia for the general protection of the Inhabitants against the Military, or I should be compelled to disarm them, and sending them to Robben Island keep them under canvas until I receive aid and instructions from England. In any of these cases your Lordship will see that I shall be nearly without a Garrison, and I need not point out to your Lordship what my own feelings must be in adopting such a measure with British soldiers, nor the sentiment which cannot fail to be created and the various feelings which may be excited on both sides if I were to arm the inhabitants for their protection against His Majesty's Troops, as the measure can admit of but one interpretation.

I must again repeat to your Lordship that upon the tranquillization and settlement of the Eastern Border depends in the greatest measure the future welfare of this Colony, those districts abounding in cattle and sheep are the sources from which we draw large and cheap supplies; it is lamentable that such fertile tracts should be almost a desert from incursions and plunderings which population would of itself repress. It is understood that many of our countrymen are anxious to emigrate, it might therefore be worthy of your Lordship's consideration whether the attainment of this object would not be cheaply secured even at some national expense, in giving aid and encouragement to Settlers who would shortly be sufficiently strong to protect themselves against our wily Neighbours and by constantly repressing their Incursions, added to the advantages they would derive from friendly intercourse with our people, gradually incline them to the adoption of more regular courses. This reflection being however apparently foreign to the object of the present communication I shall not at present press it further, and have the honor &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure A in the above.]

Extract of a Letter from Colonel Graham, Commandant at Simon's Town, to Major Rogers, Military Secretary to the Commander of the Forces at the Cape of Good Hope, under date 5th November 1817.

During the few days the Royal African Corps was landed here for refreshment the conduct of the soldiers was such as to cause constant alarm to the inhabitants.

I did everything in my power to impress upon their minds the gratitude they ought to feel for their removal to the Cape, took every precaution to keep them in barracks at night and to watch their conduct during the day. Notwithstanding which I do not think one day passed without some depredation or theft being committed by them and generally under circumstances which left no room to doubt of hardened and practised villains being the offenders.

I have it not in my power to detail the various crimes of which they were guilty: the following, however, are amongst the number, viz.

1st. A quantity of wearing apparel was stolen from a public house.

2nd. A sum of money was taken from a baker while giving change.

3rd. A tea kettle was stolen off the fire in barracks.

4th. Frequent attempts were made to steal necessaries from the soldiers of the 83rd Regiment.

5th. A soldier stopped Mr. Hurter (an inhabitant) in the public street and demanded a Spanish Dollar. Mr. Hurter replied, "he had none." "Give me your coat then," said the soldier. This was refused, on which he attempted to knock Mr. Hurter down, but not succeeding made off.

6th. A French boatswain was knocked down and robbed of his silver whistle.

7th. The barrack sergeant's house was broken open in broad day, money and goods to a considerable amount taken away; previous to quitting the house, the robbers had deliberately drank coffee.

Not a day passed on which many of them did not attempt

to sell their necessaries. Every place of confinement was constantly full of prisoners during their stay, and such, in short, was the infamy of their general conduct, that I feel perfectly justified in giving it as my opinion that the presence of a detachment of that excellent regiment the 83rd alone prevented them from breaking out into every species of violent and open outrage.

I have &c.

(Signed) JOHN GRAHAM.

[Enclosure B in the above.]

Letter from MAJOR FRASER to MAJOR ROGERS.

GRAHAM'S TOWN, 25th October 1817.

SIR,—I have the honour to cover herewith for the information of His Excellency the Governor and Commander of the Forces, the copy of a letter just received from Lt. Col. Cuyler, together with the statements of witnesses relative to circumstances attending the conduct of the three men who deserted from the Royal African Corps as reported to you in my letter of the 15th instant; as those papers (No. 1) fully explain themselves, it is only necessary to add that as there are no proper places of security here, I have written to Lieut. Colonel Cuyler requesting that they may be kept in confinement at Uitenhage until such time as I receive His Lordship's Instructions concerning them.

In consequence of the accompanying application from Asst. Depy. Commissary-General Brown, I ordered a Court of enquiry to assemble at Algoa Bay to endeavour to ascertain the cause of a deficiency in Government spirits landed from the Government Schooner the proceedings of which (No. 2*) I beg leave to enclose for His Excellency's consideration, and at the same time I beg to acquaint you that I have ordered private

* The substance of this Enclosure is as follows:

A quantity of spirits for the supply of the troops on the frontier was landed from the Government Schooner at Algoa Bay in order to be transmitted to the Commissariat Stores. Until waggons could be procured for its conveyance, a Guard from the detachment of the Royal African Corps stationed at Algoa Bay was placed over it. The guard knocked down the Sergeant who commanded it, and then plundered the casks placed under their protection. 157 gallons of rum were found missing.

Jonathan Howlett into confinement where he will remain until I hear from you. I have &c.

(Signed) G. S. FRASER, Major Commanding Frontier.

[Enclosure C in the above.]

Extract of a Letter from Major Mackenzie commanding the Royal African Corps to Major Fraser commanding the Troops on the Frontier, under date 15th October 1817.

After detailing the circumstances of the conduct of the escort, contained in Michael Ryan's confession, the Major proceeds to state :

I should consider myself, Sir, very remiss in my duty as officer commanding the Royal African Corps, did I close this report without endeavouring to impress upon your mind the necessity of renewing the application which has been already made to His Excellency the Commander of the Forces, for a general Court Martial.

The number and enormity of the crimes committed by the men of the regiment under my command since its arrival at this station cannot fail to justify the renewal of the application, and the present additional instance of the desperate and mutinous disposition of the men who lately joined from England under the command of Capt. Sparkes, will no doubt shew to His Excellency how essentially necessary it will be to check such proceedings by some striking and salutary example. For it is hard to say what men of the description which generally compose the Royal African Regiment may do, should they learn that the assembly of a general Court Martial is attended with difficulty. I have &c.

(Signed) D. MACKENZIE, Major R. A. C. Commandg.

[Enclosure D in the above.]

Extract of a letter from Major Fraser commanding the troops on the Frontier to Major Rogers, military secretary to the Commander of the Forces at the Cape of Good Hope, dated Graham's Town 18th October 1817.

In reply to yours of the 3rd instant, by which His Excellency has been pleased to leave a choice between a General and Regi-

mental Court Martial to my discretion, I regret to say that the former is indispensably necessary and many prisoners at present in confinement for crimes of the most atrocious nature (which however are necessarily brought before Regimental Courts Martial) striking at the root of discipline, and indeed the safety of the troops on this frontier requiring an immediate and effectual example.

I trust you will lose no time in forwarding to me His Excellency's warrant for convening the same.

I have the honour to enclose herewith for the information of His Excellency the Commander of the Forces a letter from Major Mackenzie covering a crime against a sergeant of the Corps under his Command.

On the 12th Instant, when I was informed of the desertion of the three men of the Royal African Corps as stated in Major Mackenzie's letter, I lost not a moment in sending express to all the posts directing that every possible means would be used for their being apprehended. I also wrote to the same purport to the Landdrosts of Uitenhage and Graaff Reinet and to the several field cornets in this neighbourhood, with a description of these men, nevertheless I am sorry to say that none of them have been secured, neither has a man of the 60th Regiment named Stevenson, who has been reported by Captain Gethin to have deserted from his post at Waay Plaats on the 9th instant, nor has there been anything further heard of the two 60th men who deserted from Upper Kaffers drift as reported to you in Lieut. Colonel Prentice's letter dated 19th Ultimo.

(Signed) G. S. FRASER, Major Commanding the Frontier.

[Enclosure E in the above.]

UITENHAGE, 23rd October 1817.

DEAR SIR,—It is with regret that I have to inform you that the three men of the Royal African Corps who deserted between De Bruin's Drift and Graham's Town on the 13th instant, as stated in your letter to me of the 14th, have aggravated their crime by murdering an inhabitant of this district, Anthony Gerard (not long since discharged from the 60th Regiment, who kept the canteen on the road from this to Algoa Bay at the place of Jacob Kok on the little Swartkops River) on Tuesday afternoon the 21st

present month, and plundered the hut, broke open a chest out of which they took money, stole the gun and bandolier which was in the hut and belonging to Jacob Kok with some articles of clothing from the unfortunate man they shot, and also plundered a waggon on the high road between Cradock's Town and Algoa Bay of several articles. Two of these desperate wretches, Michael Ryan and James Conner, are now lodged in the Trunk at this drostdy: the third, William Ryley, in making resistance to the party of farmers and Hottentots I ordered to apprehend them, was shot. I enclose you a copy of the inquest on the body of Anthony Gerard with the statement of the Hottentot Malgas and his wife Annaatje and that of Court Jager, together with the confession of Michael Ryan.

Conner appears extremely hardened, denies the circumstances related by Ryan notwithstanding paper money to the amount of Rds. 161 4 was found upon him, and he actually had the gun and bandolier of Jacob Kok in his possession when taken. He was the last taken and some distance from the other two, both of whom had firelocks, and a third firelock No. 522 was found in bushes some considerable distance from where the three men were first discovered, and near the spot where Court Jager had seen them, just after they committed the murder. As I believe the Trunk here is more secure than any place you may have to confine such men in, I should recommend you leaving them here till you want them for trial.

(Signed) J. G. CUYLER, Landdrost.

To Major Fraser,

Commanding on the Frontier.

[Enclosure F in the above.]

Wednesday, 22nd October 1817.

The Hottentot Karel Jager relates that yesterday returning from this Drostdy to Bethelsdorp he met at the bush on the road, a little on the Drostdy side of the Canteen, three soldiers dressed in Regimentals, one having two firelocks or guns and one having one firelock, and the other had no firelocks, but had a haversack over his back. That soon after he arrived at the Canteen, where he was informed by the Hottentot who stops there, that three soldiers answering the description of those he had just met had

just left that after shooting the keeper of the Canteen and plundering the hut.

N. B. Karel Jager must yet appear to identify the prisoner.

(Signed) J. G. CUYLER.

[Enclosure G in the above.]

Michael Ryan, a native of Ireland and private soldier in the Royal African Corps, relates: That he with Henry John and James Gilbert were sent in charge of two prisoners, James Conner and William Ryley, under sentence of a Court Martial to escort them from De Bruin's drift to Graham's Town, that on the road Gilbert wanted to drink water, when Conner seized Henry John's piece and struck him Henry John on the forehead with the butt end so violently as to crack the stock of the piece, and shews the same (being one of those found upon the three men) and he Conner then cocked the same firelock at him Ryan and said, now if you Ryan do not come along with me, I will blow your brains out and I will take Henry John's life and then he will tell no tales upon us; on which he Conner, Ryley, and Ryan followed Gilbert and took two canteens from him and ten rounds of ammunition and left them Gilbert and Henry John. They then all three (Conner, Ryley, and Ryan) proceeded to Assagay Bush where he Ryan bought two loaves of bread from the farmer at that place, having two rixdollars of his own money, which he had taken from De Bruin's drift with an intention to treat himself to a glass at Graham's Town, and that none of his companions had any other money with them, with which he paid for the bread and got a skilling in return. They then proceeded in passing Rautenbach's Drift, without halting, to a place (probably Gert Niekerk's at the Coega) where he Ryan stole a sheep out of the kraal which he slaughtered for him and his two companions to eat; they then proceeded passing Mr. Korsten's place and lay in a bush near the salt pans, and next day on the road to the Bay about dusk of the evening they passed a waggon on the road going to the Bay which they stopped, the man running off, when Conner said to him Ryan, damn your blood, why don't you shoot him? They then proceeded to plunder the waggon, Conner broke open the chest and he Conner took 1 shirt, 1 shift, 1 child's dress, 1 sheet, 2 shawls,

1 pocket handkerchief, 1 pair of gallows, 1 woman's body waistcoat, 1 half silk handkerchief.

N. B. all of which articles were found at the place where the three soldiers lay, and are the same as identified by Ryan to have been stolen by Conner.

After which they all three came back towards the Drostdy, and on Monday the 20th late in the afternoon they came to the canteen where they halted and got a glass each which they paid for from money that he Ryan had got for a shirt 2 rixdollars and a pair of trousers 1 and 4 skgs., from Hottentots who stopped at a place before they came to Korsten's (probably the cattle place of Bethelsdorp); they then came on a short distance from the canteen and halted near the road for the night, and on the afternoon of the next day Conner said we must return to the canteen and rob it of money and we must shoot the man so that he cannot tell on us; and the first of you that balks me, I'll blow his brains out. They then proceeded and bought half a bottle which they drank between the three, after which Conner told the man to put two bottles in each of the two canteens they had with them, and while the canteen man (after drawing the liquor) was in the act of putting the stoppers on the canteens, Conner levelled his own piece at the man and it snapped, on which he Conner seized his Ryan's piece which was standing against the hut and with it fired at and shot the canteen man; he Ryan saw the wounded man catch hold of Conner and heard him say, "Oh my dear comrade," then Conner asked the man for the keys of his box and where his money was, the poor man was not able to tell where his money or keys was. Conner loaded his Ryan's piece and cocked it and said to him, Ryan come here you damn rascal, on which he Ryan went into the hut and he saw Conner go to the box which he broke open and take all the money out (does not know how much there was). Conner kept the paper money and gave him Ryan the copper money, which he Ryan put into his haversack, when Conner took the shoes from off the wounded man's feet, also a blue jacket and a waistcoat and a straw hat, a black hat he Ryan took, Conner further took the man's gunpowder horn and shot bag, and so they came away bringing the liquor in the canteens with them; Ryley was during the shooting of the man and the plundering not present, he Ryan believes he was in the next hut

with the old Hottentot and his wife. Thus they all came on the road towards the Drostdy, and soon after leaving the Canteen they met a Hottentot on the road who after he had passed, Conner regretted not having shot to prevent, as he said, his telling upon them; they proceeded a distance in the wood where they halted for that night, having passed the place they had slept the night before, and where Conner had left his firelock, bringing the one with him he had stolen from the canteen man, and which by some accident went off and Conner loaded it again with buck shot; at the place where they slept last night they were found by the party of farmers and Hottentots, they having remained the whole morning quiet in the bushes, Conner counting and tying up in parcels the money he had stolen, when he Ryan proposed to clean himself and come to the Drostdy to see how they could get through (when he Ryan meant to leave Conner) when Conner swore that not one should go away, so they remained till the farmers and Hottentots came close to them, Conner cried out Damn your eyes fire, when he Ryan was the first to run off, and on looking back he saw Ryley lying on the ground and concluded wounded; that Conner followed him for some time, when he Ryan left him and was afterwards taken. The above taken from Ryan's own mouth immediately after he was apprehended on the place of Jacob Kok, about noon on Wednesday the 22nd October 1817.

(Signed) J. G. CUYLER.

[Enclosure H in the above.]

ROBBEN ISLAND, *November 11th 1817.*

SIR,—I have the honor to inform you for the information of His Excellency the Commander of the forces that, last night at a late hour, the sentry in conjunction with four other soldiers and seven convicts escaped in the Contractor's boat, and I am fully convinced have taken away the ship *Elizabeth* which was lying off Mr. Murray's taking in oil. The convicts were mustered and lodged in the prison last night at the proper hour, so that it would be impossible for them to have escaped without the sentry being accessory to it. I have &c.

(Signed) ROBT. PANNELL, Lt. 60th Regt.

To Major Blake,

D^y. Adj^t. General, Cape Town.

[Enclosure I in the above.]

Extract from the depositions of Bartholomew White, Master of the *Elizabeth* Merchant Ship, and his crew, taken before His Majesty's Fiscal at the Cape of Good Hope.

12th November 1817.

The Merchant ship *Elizabeth* was lying off Robben Island, taking on board a cargo of oil. About 12 o'clock in the night between the 10th and 11th November the ship was boarded by Twelve persons. On hearing a noise, the Master attempted to go up on deck, but was prevented by a shot being fired at him, and a cry that the ship was taken. The cabin door was then closed upon him, and he was kept in confinement, with two sentries placed over him, until the morning.

The persons who boarded the ship brought with them a rifle and two bayonets.

One of them, a convict of the name of Coogan, (formerly in the navy) assumed the command, gave orders to cut the cable, hoist sail, &c.

Coogan offered the long boat to the Master and crew, which was accepted, they were then one by one put down into the boat with a bucket of water and 6 or 7 lbs. of bread.

One of the men then ordered the Captain to hand up his watch, and the keys of his trunks, which he did.

The Captain, before the boat was set adrift, asked for his papers, which were refused.

A convict of the name of Roland proposed to murder the crew of the *Elizabeth*, but was prevented by Coogan, who declared that no lives should be sacrificed.

On the boat quitting the ship the soldiers, 5 in number, pulled off their regimentals and threw them into the sea.

The ship when quitted by the crew appeared to be well worked and at 11 o'clock A.M. was steering N.N.W.

On the Report being received by the Governor the Government schooner was immediately sent out to watch the ship and keep her in sight, and a communication immediately made to His Majesty's Ship *Mosquito*, lying in Simons Bay, which vessel was unable to get clear of False Bay until the following day, in consequence of the wind blowing strong from the South East.

[Enclosure J in the above.]

CASTLE, 15th November 1817.

SIR,—In compliance with your letter of the 13th inst. I have the honor to enclose you a statement of the different crimes committed by the last detachment which has lately joined the 1st Battalion 60th Regiment.

I am sorry to observe that there have been many defaulters in such a short period. 22 men have been tried for stealing. There has not been proved enough against Private Molooney, accused of stealing silver spoons out of the Mess Room. 21 men have been tried for making away with necessaries; 10 men for absenting themselves without leave from their different guards; 11 men for being drunk on guard; 12 men for striking non-commissioned officers in the execution of their duty; 13 men have deserted, and 7 have been brought back. Six are still absent.

I need not include the great number of men sent to Knapsack drill, or extra drill, and sent likewise to repair the Grand Parade for having been guilty of drunkenness or absent from regular parades, &c. I have &c.

(Signed) G. RENAUD, Capt. Comg. 1st Battn. 60th Regt.

[Enclosure K in the above.]

In addition to the crimes detailed in the accompanying papers, I have to add that a general Court Martial is now assembled by my order at Graham's Town (the Head Quarters on the Frontier) for the trial of a man who having ill will towards one of his comrades deliberately (tho' sober) shot at him with his musket in the Barrack yard. He was immediately seized, almost in the very act, and he declared he was only sorry he had not killed his comrade.

On the arrival here of the reinforcement for the 60th Regiment two accusations of sodomy on board ship were reported to me, and four men of that Battalion have since confessed themselves murderers.

(Signed) C. H. SOMERSET, General Commanding.

[Original.]

*Letter from LORD CHARLES SOMERSET to SIR HENRY TORRENS.*CAPE OF GOOD HOPE, *November 13th 1817.*

SIR,—You will I am persuaded readily conceive how painful it must be to me to be under the necessity of reporting to His Royal Highness the Commander in Chief the Misconduct of any Proportion of the British Troops entrusted to my command, but however severely it may grieve me to perform such a Task, it is nevertheless a Duty I owe to His Majesty's service to request you to lay before His Royal Highness the accompanying details, which go to shew the nature of the Atrocities almost daily committed by, and the general disposition of the two Battalions of Troops which have lately arrived on this station (500 of) the 1st Battalion of the 60th and the Royal African Corps.

The feelings which have been created in the Colonists by these unhappy events, the danger to which we are exposed on all sides (if I may so express it) have compelled me to lay our political situation before the Secretary of State for the Colonies, and to suggest the necessity either of removing that proportion of those Corps which is composed of deserters, or to augment the Garrison by such numbers as shall enable me effectually to overawe them.

It was certainly an experiment wisely made to send this Description of Force hither where change of scene and the finest climate and the best quarters (probably) in the world might have made them reflect on the lenity which had been shewn them, and have induced them to better courses, but whatever beneficial effects might reasonably have been expected from the measure, the inveteracy arising from long continued bad habits has rendered them illusive, and there seems to be no expedient short of separation, and employment with a large body of well disposed troops, calculated to check the evil.

In speaking thus of the men of these Corps, I must in justice add that the Officers of all Ranks have done all that could be expected of them, and I have reason to express myself perfectly satisfied with their exertions.

I am called upon to take this opportunity of requesting you to submit to His Royal Highness that the duties of this Station (whilst it shall continue necessary, as it is at present, to employ

1100 men on the Frontiers) cannot be performed with any regard to the security of the different Departments, or to the health of the Soldier, with less (on the most reduced scale) than 3000 Infantry and 2 Squadrons of Cavalry, and I trust it will be in His Royal Highness's power to cause such augmentation in the permanent Force of this Command as shall be sufficient for these objects. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from T. P. COURTENAY, ESQRE., to
HENRY GOULBURN, ESQRE.*

CANNON ROW, 15th November 1817.

SIR,—I yesterday received from Lord Charles Somerset an intimation, that the Cape Regiment was finally to be reduced on the 24th of September last, and that in lieu thereof a Corps of Cavalry and Infantry was to be established, under the command of a Major, and having only one Captain, four Subalterns, and 247 non-commissioned officers and privates.

I presume that if any of the commissioned officers should come to England upon leave of absence, they are to receive full pay in the manner in which the officers of the Cape Regiment have received it; but I take this opportunity of soliciting Lord Bathurst's final Instructions as to the period at which the full pay of the Colonel and other officers of the late regiment is to be considered as having ceased, and also of recalling his Lordship's attention to so much of my letter of 20th June 1816 as relates to the allowance of £35 made to the chief paymaster at Albany Barracks, on account of the payment of the Cape officers.

The reduction of the regiment will very materially diminish the amount of the payments made in England on account of the Colony; but one such payment will remain, of which I have to request Lord Bathurst's particular notice.

Lord Charles Somerset informs me that having received directions

from the Secretary of State, for paying over all the surplus of Colonial funds after payment of the expenditure at the Cape, to the Commissariat at that place, it will be henceforward out of his power to remit money to England unless for such supplies as may be absolutely necessary.

In this arrangement no provision is made for the proportion, charged upon the Cape, of the expenses of the Colonial Audit Office, which proportion generally amounts to £1,200.

To the year 1816 inclusive, this charge has been made good by remittance from the Colony; the amount for 1817 is still due from the Colony, and there will be a demand in January 1818 for £1200 on account of that year.

On these accounts, as well as for any further payments which I may still have to make on account of the Regiment, for advances to chaplains or other charges occasionally incurred by Lord Bathurst's order, I shall be under the necessity of soliciting an issue of at least £2000 very early in the ensuing year.

In the years 1815, 1816, and 1817, the debt of the colony to this country has not been encreased; and I would humbly submit to Lord Bathurst's consideration, whether it is desirable that the accounts of Army extraordinaries should again begin to exhibit issues from this Treasury on account of the Cape.

Certainly, if the effect of such issues is, to lessen the amount of the Commissariat drafts upon the Treasury, the state of the account with the Colonial Government is in fact the same, as if a remittance corresponding with those issues were made by the Colony; but as the Act of 54th Geo. 3, c. 184 specially requires that the amount of the expenses of the Audit Office shall be borne and defrayed by and out of the revenues of the Colony, and shall be paid and remitted thereout as may be directed by the Lords Commissioners of the Treasury, it appears to me highly desirable, that no charge incurred under that Act should appear on the face of the public accounts of Great Britain.

Perhaps the most convenient arrangement, combining the advantage of a correct settlement of accounts, and compliance with the Act, with that of facilitating the Commissariat payments at the Cape, would be, that the Commissary should furnish to the Colonial Government Bills upon the Treasury, for all sums received by him out of the Colonial Revenues, such bills to be remitted to the Agent for the purpose of defraying the Colonial

charges here, and of reducing the debt, which still remains from the Colonial to the British Treasury. I have &c.

(Signed) TH. PER. COURTENAY,
Colonial Agent for the Cape of Good Hope.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 21st November 1817.

MY LORD,—I have had the honor to receive and to lay before The Prince Regent Your Lordship's dispatch No. 93 of the 13th of September last, enclosing a Memorandum of the Establishment of a Colonial Corps which You propose should be formed upon the reduction of the Cape Regiment; and I am commanded to signify to Your Lordship His Royal Highness's gracious approbation of the Arrangement as suggested by you in the dispatch above referred to. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 21st November 1817.

MY LORD,—I have received and laid before The Prince Regent Your Lordship's dispatch No. 92 of the 12th of September last, referring the request of Mr. Ch. Thalman to be admitted to the rights of Burghership of the Cape of Good Hope, altho' his residence in the Colony for five successive years had not been completed; and I have the honour to acquaint Your Lordship that His Royal Highness has been pleased to accede to Your recommendation in favor of Mr. Thalman, whose Case appears to come within the exceptions provided for in my dispatch No. 75 upon the subject of Deeds of Burghership being granted to aliens of good Character and Conduct. I have &c.

(Signed) BATHURST.

[Copy.]

*Letter from the Colonial Secretary to the Commissary
of Vendues.*

COLONIAL OFFICE, 24th November, 1817.

SIR,—The late vacancy of the situation of afslager in your department, and some circumstances connected with the mode in which the vendue clerks and afslagers have performed in various instances the duties intrusted to them, which have been brought to his Excellency the Governor's knowledge, have induced his Excellency to call for the Instructions under which these officers have been supposed to act, and by such reference to discover that there is a necessity of having a complete set of instructions framed for both these descriptions of public officers, which they shall be directed to sign and swear to the observance of.

It is his Excellency's desire that you may be pleased to draw up for his approval a draft of instructions for these two branches of your department, so framed as to meet the objects you shall judge most likely to embrace the interests of the public and your own security, bearing in mind that these persons are to be debarred from purchasing, directly or indirectly, at any public sales whatever; his Excellency is not willing to insist upon those persons who fill these situations at present quitting any interest they may have in retail stores, but his Excellency thinks that it will be advantageous to the vendue officers, and meet the wishes of the public, whose jealousy on this head has been often expressed, if, in future appointments of this nature, it shall be stipulated that the parties shall not hold stores or be interested in any retail trade whatever. I have &c.

(Signed) C. BIRD.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 26th November 1817.

MY LORD,—I had the honour to receive on the 17th Instant your Lordship's dispatch No. 94 of the 13th September last,

relative to the Arrangements which Your Lordship has deemed expedient with regard to certain Colonial Offices at the Cape, and I beg to acquaint you in answer that however unwilling I should be to submit to the Sanction of the Prince Regent any measures the tendency of which is to increase the expenditure of the Colony, yet I could not but consider myself called upon under the representation contained in Your dispatch, to recommend Mr. Diemel's and Mr. Hemmy's Cases to the favorable Notice of His Royal Highness, the former on the ground of his long and faithful services in the Colony and the latter on account of his destitute situation.

I have the satisfaction of acquainting Your Lordship that His Royal Highness has been pleased to approve the Allowance which you propose assigning to these Gentlemen. His Royal Highness has also been pleased to sanction the Appointment of Mr. Fleck as Mr. Diemel's successor.

With respect to the other official Arrangements noticed in your dispatch, I am to signify to Your Lordship His Royal Highness's Approbation of the Appointment of a Second Deputy Fiscal with a salary of 3000 Dollars per Annum, and also the augmentation of 500 Dollars to the Salary of the 1st Clerk in the Secretary's Office. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 27 November 1817.

MY LORD,—I have the honour to acquaint Your Lordship that His Royal Highness The Prince Regent has been pleased to appoint Mr. Michael M'Carthy to succeed Mr. Sheridan as Civil Paymaster at the Cape, and You will, on his Arrival in the Colony, put him in possession of that Appointment. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, November 28th 1817.

MY LORD,—It is a matter so irksome to me to state my opinion in opposition to any regulations laid down by His Royal Highness the Prince Regent's Government, that it is with extreme reluctance I take up my pen to do so. At the same time I am compelled by a sense of duty, and the anxiety with which Your Lordship has expressed yourself with regard to Public Economy, to put Your Lordship in possession (by a confidential communication) of consequences attendant upon a late regulation touching the Army here, which creates a very considerable additional expence, and as its effects are extremely injurious to the health and conduct of the soldiers, it is not only inexpedient but very prejudicial. The ration to the soldier was

1 lb. of bread	} Daily
1 lb. of meat	
8 ounces of sugar	} Weekly
5 ounces of coffee	

The weekly allowance, tho' certainly too scanty, afforded a breakfast to the soldier, and the daily one an ample supply for his other meals.

By a warrant dated the 16th July 1816, the ration was chang'd to

1 lb. of bread	} Daily
1 lb. of meat	
1 pint of wine	
or 3 rd of a pint	
of spirits	

For each of these 6*d.* per day of each man's pay was withheld by Government.

The former ration cost the Government on this station, 3½*d.* sterling, the new ration costs 6½*d.* sterling.

The additional expenditure by the adoption of the new ration is in the present force here, (reduced and inadequate as it now is in numbers to the duties required of it) £45 13*s.* 4¾*d.* sterling per

day, or £16,699 9s. 5 $\frac{3}{4}$ d. sterling per annum as your Lordship will perceive by the calculations set forth in the enclosure. This statement is made without reference to the incalculable expence further incurred in conveying the wine and spirits to the different military posts on the Frontiers; it is sent from Cape Town by sea to Algoa Bay, from whence to some of the posts it must be conveyed by land 300 or 350 miles at an expence triple that of the value of the articles.

I have felt the effects of this change of ration (which from unavoidable circumstances commenced here only on the 1st of September last) most lamentably in the health of the men, but still more in their conduct, and these circumstances, combined with the enormous increase it causes in the Commissariat charges, induce me to put your Lordship in possession of the facts to urge, or not, with Lord Palmerston as Your Lordship may deem expedient.

As by the old ration, a considerable saving (perhaps an unfair one) accrues to Government out of the money stopped from the soldiers' pay, I hope that it may not be thought presumptuous in me to propose that I may be permitted to increase the weekly allowance of coffee and sugar, still keeping within the amount of the stoppage from the soldiers' pay.

Since the discontinuance of the allowance of Bat and Forage to the officers on this Station, their means of living have been much straightened, in consequence of the exorbitant price of all European articles with which they are necessitated to furnish themselves. It would be a considerable relief to them if the rations authorized to be drawn by His Royal Highness the Prince Regent's warrant of the 16th of July 1816, were received by them without payment, in lieu of paying 2 $\frac{1}{2}$ d. per ration, and the cost to the public would be inconsiderable.

This payment of 2 $\frac{1}{2}$ d. per ration is intended to be, and in the West Indies and other Stations where the ration costs the public 2s. to 2s. 6d. sterling is, a very great boon to the officer; but here, (when Your Lordship perceives by the enclosed statement) that the ration costs only 3 $\frac{1}{2}$ d. sterling this intended indulgence loses its effect. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Letter from MAJOR FRASER to MAJOR ROGERS.

GRAHAM'S TOWN, 29th November 1817.

SIR,—I am truly concerned at having to report for the information of His Excellency the Governor and Commander of the Forces the many crimes committed by the Troops now stationed on the frontier and particularly the present serious circumstance of four soldiers of the 60th Regiment having deserted with their arms and ammunition into Kafferland, as stated in the enclosed copy of reports from Captain Githen (this moment received). I had reason to hope that before now the Kaffers would have sent out the two men of the 60th who deserted from the same Post during Lieut. Col. Prentice's command, which would deter others from entering Kafferland in like manner; but from the great elapse of time, I am fearful of the serious consequences which may arise in the event of the Kaffers harbouring these people, in which case, from the apparent disposition of some of the Troops, there is great reason to apprehend that others will follow the example of those who have already entered Kafferland, and it may become more alarming, as they become better acquainted with the country. I have hitherto done all in my power to get back the two deserters, but without effect. I will lose no time in sending another message to Gaika and a letter to the Missionary Mr. Williams on this subject, I will likewise send two Hottentots into Kafferland for the purpose of quietly endeavouring to ascertain the retreat of these deserters, and if they are screened by the Kaffers. I shall forthwith make Col. Cuyler acquainted with the purport of this letter, and solicit his advice with regard to such means as he would recommend for the recovery of these people as the surest means of preventing repetitions thereof.

It would be of no avail my removing the 60th from their present station, and replacing them by the 72nd, as in that case I would have to send either the 60th or Royal African Corps to occupy the posts in the neighbourhood of Baviaans river or Brintjes Hoogte, when (if inclined) they would have equal access of deserting into Kafferland or elsewhere, and be rather more in the way of committing other crimes when intermixed with the inhabitants.

The repeated examples which unavoidably take place by sentence of Detachment and Regimental Courts Martial seem to make but very little impression on the minds of these men.

I have sent express in all directions to both civil and military, intimating the desertion of these men in case they may be induced from any circumstance to return to the Colony. Anxiously awaiting His Excellency's instructions, I have &c.

(Signed) G. S. FRASER, Major Commanding Frontier.

P.S. The warrant to enable me to assemble a General Court Martial received on the 26th inst.

(Signed) G. S. FRASER.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 2nd December 1817.

MY LORD,—With reference to the Communications which have been made to Your Lordship relative to the transfer of any Surplus Revenue at the Cape of Good Hope to the Commissariat, as recommended by the Lords Commissioners of His Majesty's Treasury, I have to desire Your Lordship would be pleased to transmit to me annually a Statement of all Sums which in pursuance of such arrangement you may have caused to be paid over to the Department in question. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 8th December 1817.

MY LORD,—I have the honour to transmit to your Lordship the Copy of a Letter addressed to my Under Secretary by Command of the Lords Commissioners of His Majesty's Treasury, stating the difficulties which have arisen in admitting to entry certain

Vessels with Cargoes from the Cape of Good Hope in consequence of an omission on the part of the Colonial Custom House to verify their Manifesto as required by Law.

The enclosures will sufficiently explain to Your Lordship the Nature of the inconvenience in the Case of the *Selina* and *Warrior*, and the Measures taken in this Country to remedy it and to meet any other Case of the same description which may occur within a limited period; and I am sure Your Lordship will see the Necessity of instructing the Officers of the Customs within Your Government to perform the Acts required by the 54 Geo. 3, Cap. 36, a non compliance with which will produce such serious injury to the Trade of the Colony. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 18th December 1817.

MY LORD,—At the close of a confidential communication which I had lately the honour of addressing to your Lordship, I had occasion cursorily to observe that it were to be wished that our Border on the side of the Caffres could be settled by many of those Emigrants from England who were said to be most anxious to find employment and food in new Countries and to whom the Home Government was understood to afford facilities in the attainment of their object.

In endeavouring to develop the hint then thrown out, I believe I shall best be enabled to meet the questions proposed to me in your Lordship's dispatch of the 18th July last relative to giving encouragement to this description of undertaking.

I should perhaps first observe to your Lordship that although this extensive country is very thinly peopled, yet from the mode by which land has been distributed in former times, little remains (except in the remote and frontier districts) which is not already private property; or I should probably be more correct in saying that, with the above exception, every part is occupied which could be usefully employed; such land as is still without a

particular proprietor is either unfit for cultivation or pasture, or is so totally destitute of water that it must ever remain uninhabitable. The great want of water, the total absence of navigable rivers or of inland communication by water carriage, must ever be the great drawbacks to the full peopling of this Colony and operate as the strongest checks to such speculators as have views upon it; they are not however altogether insurmountable; far more accurate investigation than what has hitherto taken place along the East coast (at least 600 miles in extent) may and probably will discover inlets from whence a coasting trade with the capital may be profitably and safely carried on, to the great improvement of the interior for many miles.

I have made this remark before coming to the particular subject of this letter, in order to say further, that although the land coast-wise from Cape Point to the Sitsikamma forest is nearly all alienated, yet that much of it is to be procured from the proprietors at very reasonable prices; and in support of my supposition that many inlets may be discovered from which a coasting trade may be carried on, to add, that the mouth of the Breede river in the Swellendam District (contrary to universal opinion) has within these last two years been found to be open for small vessels, of which two are now constant traders from Port Beaufort to Cape Town, and that the more important discovery of a large and capacious land-locked Harbour in the Knysna River has been made since I have had the honour of administering this Government. The advantages likely to result from this last discovery appear to strike all nautical men whom I have had an opportunity of consulting upon them very forcibly, and the present Naval Commissioner (Sir J. Brenton) has, I believe, urged strongly the benefit to be expected from establishing a few families there for the purpose of making experiments in the cultivation of hemp, for which the soil is said to be peculiarly well adapted.

Much valuable produce may hereafter become exportable through this channel from the fertile and well watered vale of the Lange Kloof (100 miles in extent), and from that equally fertile division, the Congo, both which are situated immediately behind it.

But however fertile these Divisions may be, they are not to be compared to those which are situated between the Great Fish River (the Caffer Boundary) and the Sunday River in the Uitenhage District. Here is indeed a very fine country upon which to

employ and maintain a multitude of settlers. This tract of country, particularly healthy for every description of cattle and sheep, well wooded and having very fine springs in it, is very nearly uninhabited. The paucity of borderers has been such that they have never been able to settle here in quiet; the Caffers, whose territory is on the East side of the Great Fish River and whose propensity to thieving is similar to that of most other savages, have continually viewed the occupation of this fine country by the Colonists with jealousy, and have molested them so systematically by constant depredations upon their herds, that insulated settlers have imbibed a great dread of occupying land in the vicinity of these artful marauders, who not very many years since, taking advantage of the intestine divisions of the Colonists of the Border and of the absence of Military force, had driven them entirely out of the Zuureveld, which is the name of this part of the Province of Uitenhage. This success had emboldened the Caffers to such a degree that their depredations increased to a great extent, they having penetrated far into the Graaff Reinets District and laid waste that of Uitenhage quite to the Lange Kloof. It was found necessary in 1812 to drive them back by military measures, as your Lordship is aware, and since that period to keep a military force on the Frontier to check further inroad and to give time for settlers to establish themselves in such strength and numbers as shall supercede the necessity of keeping a military force for their protection.

This then is the situation of that part of this country which I would wish to draw your Lordship's attention to the settlement of, as a measure of Government, fairly stating to your Lordship the disadvantages to which settlers would be at first exposed, and not disguising from you that I am much swayed in recommending the plan by a strong wish to be able eventually to withdraw the military detachments from that quarter for many reasons which are not at this moment the subject of discussion.

It is just that settlers should be aware that their property will be, in some measure, exposed in the first instance to be plundered by their restless neighbours unless their own vigilance and courage shall considerably aid in protecting it; but it is at the same time proper to tell them that vigilance and courage will have the effect of giving their property efficient protection; that the Caffers do not molest those hamlets where six or seven families unite together

for mutual support, and are constantly on the alert for their defence in case of attack. We have several instances of associations of this nature living in perfect security quite on the Border of the Fish river, not 100 yards from the Caffer country; The Caffers are constantly on the watch and commit their thefts when they discover our settlers to be off their guard; the herds of these families are tended in common by armed watchmen, should these be indolent or negligent they are the victims of their supineness by the loss of their property and sometimes the sleeping herdsmen lose their lives. It is obvious that increase of population will remedy this evil, and that the Caffers cannot, from their not using firearms, be any match for Europeans who have such to oppose to them.

Having thus stated the disadvantages to which settlers would be liable in the country we have to offer them, it is now necessary to advert to the more favourable side of the picture, and to say that their reward is to be found in the cultivation of a most fertile soil in the most healthy and temperate climate in the Universe, where cold is never so piercing as to congeal water, and where the rays of the sun are never so powerful as to render exposure to them injurious or to impede the usual labours of the field.

The usual tenure of the Colony is that of perpetual quit rent, the land to be granted is surveyed, defined, and described by the local Magistrates and Surveyor acting under their directions, and the new proprietor enters upon what is ceded to him, having accurate land marks to limit his possession. The terms which have been held out to the Colonists (as fully described in the enclosed copy of a letter to the Magistracy of Uitenhage) are so encouraging to settlers that it does not appear to me that it would be of any practical utility to add to the advantages which are therein pointed out, in favour of new comers; it is said that the new settler shall obtain land in proportion to the means he possesses, and it will be obvious to your Lordship that the Magistrates on the spot must be the best judges of the means the party settling brings with him, the number of families and the quantity of stock: to emigrants however who would be some time before they could find subsistence from the returns of the soil they would have to break up, rations might be issued as to soldiers for a limited period, but your Lordship must be well aware that every individual should as soon as possible be left to depend upon his industry for his support, and that the system of maintaining

labourers otherwise than by payment in proportion to their work is one which makes men careless and induces habits of idleness.

In resuming then, I will venture to answer your Lordship's second query first, and to say that it would be most advisable to make a considerable grant to an individual who should procure subordinate labourers for its cultivation, rather than to encourage insulated cultivators, as such individual would be enabled to guide the inferior settlers and to establish such a system of mutual support among them as should ensure their perfect security. Thus an individual bringing with him families which should contain from 25 to 50 male labourers amongst which there should be a proportion of Artificers, would be allowed to occupy 2000 morgen (4000 English acres) in the first instance according to the regulations at present in force. These would contain a portion of fine garden ground, arable land and grazing ground for the cattle for agricultural purposes and supplies.

Should the industry of the individuals recommend them to Government or should it appear expedient afterwards to extend the establishment, a larger grant would then be made; but it must be understood that the 2nd clause of the regulations enclosed will be most rigidly adhered to.

It would be the interest of such an individual to study the answer to your Lordship's first query, it being laid down that upon a most fruitful soil the same species of cultivation which affords food to man in our country is most likely to be successful here, adding to which, that when the immediate wants of the new settlers are supplied, no country yields finer wool than may be here reared; that the corn of this Colony has brought in the London market the highest price known there; that tobacco is an article which might be advantageously cultivated and prepared so as to equal the best American produce; and that experiments upon the cotton plant have proved that it may be cultivated here to the greatest advantage.

I am not aware that it would be of any material injury to the Revenue to grant to such settlers as might be established in the districts here pointed out, certain limited exemptions from local taxes; but I think such exemptions, it should be discretionary in the Governor at the time to allow or not, according to circumstances, as I do not suppose a Governor would use such a discretion injuriously to the individual, while the stipulation for positive

exemption to one class of settlers might create jealousies in the minds of others who, under other covenants, could not be thought entitled to similar privileges.

Having thus endeavoured briefly to explain to your Lordship the nature of ground we have to alienate, the circumstances under which settlers will be placed in the first instance, the disadvantages they will labour under from local causes, and the obvious advantages which they may fairly look forward to in the cultivation and settling of this inviting country, and having answered your Lordship's queries on the several points proposed to me, it remains to say a few words upon the introduction here of Emigrant Artificers and laborers.

Numbers of these would find ample employment and receive in remuneration for that employment comfortable lodging and board, from 12 to 15 Rixdollars a month if labourers, or more if artificers, according to their several professions and merits.

The Colonial Office has issued within the last 15 months near 800 permanent passes mostly to discharged soldiers, sailors, and others of the working class, who are so mixed in with the labouring community that the number thus added to it is not perceptible, and Mr. Moodie (who delivered to me letters from your Lordship and) who brought to the Colony in three separate detachments about 200 mechanics, has not found it very difficult to dispose of the Indentures (for 3 years) of these men (to themselves chiefly), at from £50 to £60 sterling each.

Your Lordship will judge from these circumstances in how much request labour of this sort is here, and it must be obvious that if the persons above alluded to can, in the course of three years, realize wherewith to discharge the expense which Mr. Moodie has incurred on their account to the amount of £50 or £60 each, with what advantage industrious emigrant artificers and labourers would come here, were a free passage granted them by Government at home.

It is however essential that no prospect be held out to this class of emigrants beyond the usual reward which follows industry and regularity, and that if they are sent out at public expense they shall not continue to be maintained at such expense beyond a very limited period subsequent to their arrival (except in cases of sickness), which limitation must have the effect of forcing them into employment, from which numbers would hold back so long

as they could find maintenance without working for it. It is also to be remembered that the class of emigrants is not in general composed of men of those industrious and orderly habits which would ensure to themselves success in their undertaking, but is more correctly described by Capt. Beaver as a set of "drunken, lazy, dishonest, impatient cowards." From such characters I must rely upon your Lordship's best endeavours to protect us, as it must be obvious how troublesome to the Colonial Magistracy and how injurious to our prosperity they would be.

Trusting that these observations are not irrelevant to the information your Lordship has required from me, I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

LONDON, 19 December 1817.

MY LORD,—In virtue of a late Act of Parliament 57 Geo. 3, Cap. 36, for regulating the trade to and from Places within the Limits of the Charter of the East India Company and certain Possessions of His Majesty in the Mediterranean, Licences have been granted to several Vessels by the Governors of Malta and Gibraltar, which (on account of a proper form of Licence not having been forwarded to these Officers with the above Act) will be found to differ in point of form from those usually granted by the Commissioners for the Affairs of India and the Court of Directors of the East India Company.

I have therefore to instruct Your Lordship not to detain nor prohibit from proceeding to India, Vessels coming from Malta and Gibraltar which may be furnished with the informal Licences above described. I have &c.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET *to*
EARL BATHURST.

CAPE OF GOOD HOPE, 19th December 1817.

MY LORD,—In addition to the confidential communication which I had the honour to address to your Lordship last month, on the subject of the conduct of the men lately sent out to join the 1st Battalion of the 60th Foot and of the Royal African Corps, I have now the honour to transmit to your Lordship a report which has just reached me of four of the men of the first named Corps having deserted from one of the outposts to the Caffers with their arms, ammunition, &c., which circumstance fully confirms the apprehension I expressed to your Lordship on this point, and I beg to call your Lordship's attention to the reasoning of Major Fraser, the officer commanding on the frontier, to the same effect. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET *to*
EARL BATHURST.

CAPE OF GOOD HOPE, 19th December 1817.

MY DEAR LORD,—I have had some difficulty in replying to your dispatch No. 22 of the 28th July last, as altho' I feel most strongly the advantages which would arise to this Settlement, to the Mother Country, and eventually to the Emigrants themselves, still I cannot but apprehend that they might form extravagant expectations which would not be realized. I therefore have been as guarded in my reply as possible, which may give an impression that it is not calculated to give as much encouragement to the plan as might have been expected.

One circumstance has ever weighed most strongly with me, and will I am confident be duly appreciated by your Lordship,

that is, that the introduction of a class of free labourers here will tend more to lessen the value of slaves, and thus by degrees lead to the abolition of this horrid establishment, than any other measure or circumstance. Your Lordship will perceive that I could not very properly use this argument in a public despatch, and leave it on record here, where slaves are considered most valuable property.

I have established a school for all the Government slave children after 6 years old. At 12 they will be apprenticed, and my purpose is that at the expiration of their apprenticeship all should be emancipated unless anyone should, by the irregularity of his conduct, prove himself unworthy of such bounty. Thus the Government will set an example which I trust may be followed by others, but I am sorry to say that I cannot get slave masters to join me in sending their children to our school.

I am happy to say that our finances are more prosperous than I could have expected after the diminution of the army here, and if your Lordship will protect us from further duty on our wines, great improvements will be made in that article, and in a few years we may render an aid to the mother country very little expected, but I entreat your Lordship to use your powerful influence against the adoption of a measure that would be fatal to the Colonial interests here, and as far as the amount of duty is concerned impolitic at home.

I have written so fully in my confidential letters to your Lordship on the character of the troops here that I need not trouble your Lordship further on that very serious subject.

Sir Jahleel Brenton is now at our newly discovered port, the Knysna, from whence I trust great supplies of timber will be drawn for England, and a general coasting trade established.

Permit me to assure &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

*Abstract of the Accounts of His Majesty's Receiver General at
the Cape of Good Hope for the year 1817.*

REVENUE:

	Rds.	skil.	st.
Balance	39,224	2	3 $\frac{5}{6}$
Lombard bank	78,188	3	2 $\frac{3}{6}$ $\frac{7}{6}$
Discount bank	25,790	3	0
Vendue duties	152,088	1	0 $\frac{4}{5}$
Customs	288,365	6	3
Land revenue	71,760	2	1
Tithes and transfer duties	269,791	0	0
Stamps	169,214	4	0
Sequestrator's department	16,875	1	1
Printing department	16,946	7	0
Commando tax	71,117	0	0
Port dues	14,991	1	0
Postage	12,025	2	0
Fines	520	0	0
Fees of offices	63,339	2	0
Do. wine taster's department	21,636	2	0
Annual repayment by Stellenbosch	3,000	0	0
Rent of a mill	170	5	4
Miscellaneous receipts	3,348	4	5 $\frac{1}{2}$
	Rds.	1,318,393	0 3 $\frac{3}{4}$

EXPENDITURE:

	Rds.	skil.	st.
Civil list, sterling salaries	296,353	4	4 $\frac{1}{4}$
Colonial salaries	414,558	3	5 $\frac{3}{4}$
Public buildings (erection of new and repairs of old buildings, &c.)	34,475	4	0
Cape regiment	195,567	5	5 $\frac{1}{4}$
Pay of Hottentot captains	1,443	7	4 $\frac{3}{4}$
Commissariat expenses	90,000	0	0
Expenses of offices	33,790	2	5 $\frac{3}{4}$
Criminal prisoners and convicts	10,722	7	0
Remittance to colonial agent	11,225	7	5 $\frac{1}{2}$
Freight and passage money, travelling expenses, &c.	7,350	7	3
Carried forward	1,095,489	3	4 $\frac{1}{4}$

	Rds.	skil.	st.
Brought forward	1,095,489	3	4½
House rent and lodging money.	8,251	0	4¾
Vessels and boats, purchase money and repairs of ditto, including charges of the harbour master's departments at outposts	11,749	6	3
Buckbay, Grootepost and Somerset's establishments	9,523	5	2
Frontier service	2,414	7	5½
Government Constantia wine	6,921	0	0
Commission of circuit	9,670	4	2
Annual repayment by Stellenbosch (destroyed)	3,000	0	0
Vendue department	21,875	7	5½
Miscellaneous expenditure	45,959	1	¾
Balance	103,537	2	¾
	<hr/>		
	Rds.	1,318,393	0 3¾
		<hr/>	

(Signed) J. W. STOLL, Receiver General.

MISCELLANEOUS RECEIPTS:—1817.

	Rds.	skil.	st.
Fiscal's department, the amount of expenses refunded by several masters whose slaves were criminally prosecuted and afterwards returned to them	777	1	4
Colonial paymaster, sundry reimbursements on account of Cape regiment	2,571	3	1½
	<hr/>		
Total	Rds.	3,348	4 5½
		<hr/>	

(Signed) J. W. STOLL, Receiver General.

SUNDRY EXPENDITURE:—1817.

	Rds.	skil.	st.
M. Wolf, articles intended as presents to the Caffre chiefs	945	0	0
Executioner	75	0	0
Do.	159	0	0
J. H. Bruchheiser, meat for lions, &c.	225	0	0
A. I. de Villiers, in reimbursement of certain transfer duties paid by him on a piece of land bought out of his late mother's estate	301	5	2
Lieut.-Colonel Bird, for a horse presented to the Caffre chief Gaika	250	0	0
The committee for managing the funds of the free school at Simon's Town, as an allowance	400	0	0
Mr. Baulcomb, the expenses of Count Las Cases and his son, for seventy-six days	1,140	0	0
Executioner	90	0	0
J. Lawrence, tools for stone quarry at Robben Island	71	0	0
Do. Do.	553	2	0
J. Dick, on account of Count Las Cases	440	6	0
E. Durham, the hire of some articles of furniture for Count Las Cases	257	4	0
Executioner	44	0	0
Resident at Plettenberg's Bay, for victualling and clothing the Government slaves at said place	340	0	0
J. Tier, for sundry articles sent to the Caffre chiefs as presents	253	0	0
F. Becker, for board and lodging of Count Las Cases and his son	2,211	0	0
Dr. Mackrill, for plants, bulbs and seeds supplied by him to Government	560	0	0
H. Heegers, for twenty telescopes	1,275	0	0
Premiums at the farming of the salt-pans	180	0	0
J. F. Reitz, Esq., agent to F. W. Fagel, Esq., late vendue master, the amount of the profits of the vendue office for the year 1815	13,006	5	0
Premiums given at the farming of the wine licences	995	0	0
Mr. A. Sutherland, for twenty sets of telegraphs	2,114	0	0
J. C. Bosse, for twelve brass engraved badges for Caffre chiefs	180	0	0
Mr. J. Chisholm, in full of the services rendered by him in superintending the making of the new road to Simon's Town	2,674	3	2
Lieutenant Rigodin, in the service of his Most Christian Majesty, the amount of a bill drawn by him on the French government	14,041	5	5½
Carried forward	42,782	7	3½

	Rds.	skil.	st.
Brought forward	42,782	7	3 $\frac{1}{4}$
Executioner	185	0	0
J. H. Bruchheiser, meat for lions	450	0	0
Mr. Becker, board and lodging of Count Las Cases and son	820	0	0
Executioner	9	6	0
C. M. Villet, seeds for the Ceylon government	374	0	0
A. J. Ley, for presents to Caffre chiefs	841	2	0
J. Lawrence, tools for stone quarry at Robben Island	271	2	0
Mr. Bruchheiser, meat for lions, &c.	225	0	0

Total	Rds. 45,959	1	3 $\frac{1}{4}$
-------	-------------	---	-----------------

(Signed) J. W. STOLL, Receiver General.

Return showing the Population and Cattle in the Possession of

	CHRISTIANS:					FREE BLACKS:				HOTTENTOTS:				NEGRO APPRENTICES:			
	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Servants.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.
Cape Town .	1,977	1,365	1,627	1,789	..	531	343	576	350	195	86	164	108	..	..	..	..
Cape District	704	503	563	549	142	..	..	..	..	247	234	276	164	244	54	55	37
Simon's Town	140	84	76	62	..	25	19	19	13	24	28	20	13	18	..	7	..
Stellenbosch	1,373	1,090	1,069	1,258	..	..	..	..	..	507	326	519	345	72	13	18	13
Swellendam	1,337	1,363	936	1,501	10	..	..	..	..	885	763	817	792	..	..	..	..
Graaff Reinet	1,942	2,374	1,505	2,349	..	..	..	..	..	1,942	1,443	2,107	1,434	..	..	..	..
Uitenhage .	1,140	1,210	857	1,168	4	..	..	..	..	839	656	884	576	..	..	..	..
Tulbagh .	1,232	1,228	880	1,340	..	..	..	..	..	1,228	930	1,264	971	10	..	2	..
George .	774	740	551	804	17	..	..	..	..	653	654	690	652	..	..	..	..
Total .	10,619	9,958	8,064	10,820	173	556	362	595	363	6,520	5,120	6,741	5,055	344	67	82	50

Return showing the State of Cultivation and Quantity of Land

	MUIDS SOWN:				MUIDS REAPED:				HAY.	VINES.
	Wheat.	Barley.	Oats.	Rye.	Wheat.	Barley.	Oats.	Rye.		
Cape Town . .	..	..	..	..	..	..	..	..	..	..
Cape District . .	3,257	941	3,615	123	31,415	18,131	16,675	839	2,322,456	2,223,692
Simon's Town. .	..	..	..	..	..	..	..	..	..	..
Stellenbosch . .	4,418½	760½	3,594	238	31,857	15,668	24,058	1,951	..	18,046,925
Swellendam . .	2,699	863½	317	7½	18,186	7,349	1,764	60	..	941,600
Graaff Reinet . .	646½	388	1	1½	14,434	6,406½	13	43	..	379,533
Uitenhage . . .	390	218	38½	1½	6,007	2,109	216½	9½	..	116,000
Tulbagh . . .	3,355	880½	717	209	39,085	15,148	9,312	2,277	..	1,485,600
George . . .	806	350	14	..	8,222	3,160	56	..	..	770,150
Total . . .	15,572	4,401½	8,296½	580½	149,206	67,971½	52,094½	5,179½	2,322,456	23,963,500

Individuals at the Cape of Good Hope in the Year 1817.

SLAVES:				CATTLE:									
Men above 16 Years.	Men under 16 years.	Women above 14 Years.	Women under 14 Years.	Waggon and Saddle Horses.	Breeding Horses.	Draught Oxen.	Breeding Cattle.	Wethers.	Breeding Sheep.	Spanish Sheep.	Goats.	Asses.	Pigs.
3,137	1,221	2,005	1,135	1,331	..	..	..	..	..	..	..	..	..
2,136	485	682	521	2,276	2,856	10,074	5,168	3,431	6,244	873	4,382	246	577
176	47	27	22	..	..	..	..	..	..	..	..	..	..
4,134	1,297	1,905	1,167	5,163	4,006	17,436	4,627	6,036	13,436	614	11,141	76	1,100
1,105	511	661	549	3,034	10,198	15,181	21,884	858	69,390	5,163	43,882	4	224
959	271	631	252	3,730	6,218	17,004	59,395	1,022	840,975	462	55,334	..	99
487	171	391	181	1,716	1,716	11,728	35,346	..	246,606	..	32,416	..	..
1,714	698	980	708	3,939	8,947	16,163	23,655	12,235	366,602	2,374	62,272	..	617
622	310	429	319	1,282	2,462	11,430	22,194	813	37,088	60	13,462	1	249
14,470	5,011	7,711	4,854	22,471	36,403	99,016	172,269	24,395	1,580,341	9,546	222,889	327	2,866

occupied at the Cape of Good Hope in the year 1817.

Leaguers of Wine.	Leaguers of Brandy.	Waggons.	Carts.	Loan Freehold Places.	Loan Places.	LANDS IN FREEHOLD:				LANDS IN QUIT-RENT:				Government Places.
						Places.	Erven.	Morgan.	Roods.	Places.	Erven.	Morgan.	Roods.	
..	..	248	152	..	..	..	..	..	..	..	..	..	..	..
862	29	648	164	7	99½	159	32	13,714	..	..	..	33,749	102	29
..
8,553	496½	1,428	362	..	115½	381½	248½	18,641	530	..	..	9,170	12	..
266	72	1,046	49	..	457½	19	99	..	..	5	..	20,663	1,771	..
259	73	1,570	23	..	393	1	120½	..	..	..	..	..	..	..
27	11	561	10	..	142	..	..	..	..	..	..	..	..	..
589½	94½	1,322	117	..	642	37	44	..	..	..	..	..	..	..
157	85	611	22	..	139½	70	..	..	..	88	..	..	..	..
10,713½	860½	7,434	899	7	1,988½	667½	544	32,355	530	93	..	63,582	1,885	29

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 1st January 1818.

MY LORD,—As Sir Hudson Lowe has been directed to send to the Cape of Good Hope those of Count Bertrand's servants who have received permission to quit his service in St. Helena, I deem it proper to acquaint Your Lordship that it is not considered expedient to impose any further restriction upon the departure of these persons from the Cape, than that of prohibiting them from proceeding to His Majesty's Dominions in Europe or to the Territories of the East India Company.

Your Lordship will consider this Instruction as equally applicable to the Case of any other Persons attached to the Establishment of General Bonaparte, who may at any future time be sent from St. Helena to the Cape, unless You shall have reason to believe from the Communications which you may receive from Sir Hudson Lowe that His Majesty's Government are disposed to depart from this rule in consideration of the good Conduct of any particular individual. I have, etc.

(Signed) BATHURST.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas by several proclamations, dated 20th July and 22nd September 1798, 11th June 1801, and 7th July 1807, certain regulations were framed for more speedily enregistering the transfers of all estates disposed of by sale, or succeeded to by inheritance, and for preventing loss to His Majesty's revenue, from any attempts to evade the payment of the duties laid upon all such transfers:—And whereas it has been found, that, notwithstanding the salutary provisions of the aforesaid regulations, many instances of delay and neglect occur in effecting the transfers aforesaid, to the great insecurity of private property,

and to the manifest detriment of His Majesty's interests in the premises:—Be it, therefore, hereby ordered and declared, that the regulations aforesaid, viz. those directed by the several proclamations of the 20th July and 22nd September 1798, 11th June 1801, and 7th July 1807, be henceforth revoked and of no effect, as by the power and authority vested in me they are hereby so revoked, and that in lieu thereof the hereinafter mentioned regulations and enactments be strictly adhered to and enforced; viz.

1. The transfer due, payable by the purchaser of an estate, of 4 per cent upon the amount of purchase of freehold property, or property held by tenure of perpetual quit-rent, or by any other quit-rent or leasehold tenure held of government, and of $2\frac{1}{2}$ per cent upon the opstals of loan places, is and remains payable to His Majesty, within four calendar months subsequent to the day on which the bargain or agreement of sale shall have been concluded between the parties selling or purchasing, if the estate sold be situated in Cape Town, district, or residency of Simon's Town; or within six calendar months, if the estate sold be situated in any of the more distant districts; in failure of the payment of which transfer duty, within the aforesaid periods, as the case may be, the purchaser of any such property shall become liable to, and shall be charged with, double the amount of the duty due as aforesaid.

2. The transfer duties are payable to, and shall be collected by the collector of tithes and transfer dues as heretofore, who is hereby directed to require the seller and purchaser of any dutiable property, to take and subscribe the following oath, in their respective capacity, which he is duly authorized to administer; no such sale or transfer being to be considered valid, unless the seller and purchaser aforesaid shall have taken and subscribed the appropriate oath; viz.

“I, *A. B.* do solemnly, in the presence of the Almighty God profess, testify and declare, that the sum of received by me for the sale of is the full and entire purchase money of said which I sold to on and that I have not, either by myself, my agent, or any other person whomsoever, received, or am to receive, any other valuable consideration, directly or indirectly, in lieu thereof; and I do further make

oath, that (*C. D.*) to whom I am about to transfer this property, is the only person who has purchased this estate from me; and that I have never directly, or indirectly, sold the same to any other person or persons whomsoever: and all this I do swear, without any evasion or secret reservation, to be the truth, the whole truth, and nothing but the truth.—So help me God.”

“I, *C. D.* do solemnly, in the presence of the Almighty God, profess, testify and declare, that the sum of paid by me to *A. B.* as the purchase money for to me sold on the day of by the said is the full and entire sum of me required; and that the said sum of is the only valuable consideration given for the same by me, my agent, or any other person employed by me: and all this I do swear, without any evasion or secret reservation whatsoever, to be the truth, the whole truth, and nothing but the truth.—So help me God.”

3. But inasmuch as taking the aforesaid oaths before the collector of tithes may be, in some cases, inconvenient to the buyers and sellers of estates in the distant districts, it is hereby provided, that the same may be taken before the landdrost of the district in which such buyer or seller resides; copies of which oaths, certified by the aforesaid landdrost, must be transmitted to the collector of tithes, who, upon receipt thereof, is hereby authorized and directed to issue the customary certificate thereof, in order that the transfer may be passed in the same manner as if the parties had appeared and made oath before himself.

4. In like manner, for the convenience of those purchasers residing in distant districts, who shall find it convenient to pay the transfer duty in the district in which they reside, the respective landdrosts are hereby authorized and directed to receive the same, upon the parties complying with the first and second articles of the present regulations, and to grant to such purchasers a certificate thereof; which certificate must however be exhibited to the collector of tithes and transfer dues, and be countersigned by him, in order that he may debit the landdrost with the amount paid into his hands, previous to any transfer being made of the property in consequence thereof.

5. And in order to prevent the irregularity arising from a total neglect of paying the transfer duties, after the period has

elapsed at which a double transfer duty becomes payable to government, it is hereby further enacted, that if the purchaser of an estate shall fail in paying the transfer duty thereon, with the penalty which has been incurred, within two calendar months subsequent to the period at which he has become liable to double transfer duty, he shall then be charged with treble transfer duty ; but this additional penalty shall not, when levied, be carried to the account of His Majesty's treasury, but be appropriated to the funds of the district in which the default shall have occurred, that is, in which the estate lies, the duty upon which has been neglected to be paid.

6. The courts of landdrost and heemraden of the several country districts are therefore, at the annual opgaaf, to make particular inquiry into the changes which shall have taken place in the landed property within their jurisdiction, and the titles of the occupiers, and give direct notice to the collector of tithes of any discovered omissions, in order that he may take the necessary legal measures, which he is hereby required to do, for enforcing the payments of the duties and penalties due to His Majesty therein, without delay.

7. And it is hereby further provided and directed, that the seller of any landed property, as above described, shall, as soon as possible, or at latest within one month subsequent to the period at which the transfer duty to government becomes due, pass, or cause to be passed, a regular public transfer to the purchaser, in the manner usual in this settlement, in default of which, such seller shall become liable to a penalty equal to one half of the transfer duty due to His Majesty on the purchase money of the estate sold, unless such seller shall establish satisfactorily, that the neglect has arisen with the purchaser, and not with himself; in which latter case, the purchaser, and not the seller, will be liable to the penalty alluded to in this article.

8. In all cases of estates changing proprietors, without sale, viz. by exchange of one estate for another, by gift, by legacy, or by inheritance, when liable to duty, the value of such estate shall be ascertained upon oath, by competent persons, to be appointed by the landdrost or magistrate of the district in which such estate shall be situated; and the landdrost or magistrate aforesaid, is hereby required to transmit a certificate of the said valuation, to the collector of tithes and transfer dues, in order

that the amount due to His Majesty may be calculated thereon. This amount shall become payable to the collector aforesaid, within the time limited for the payment of the transfer dues on sales in the first article of these regulations, which time shall be calculated from the date at which the transaction took place, which gave the holder his claim to the transfer; the said date to be ascertained by oath of the party, if called upon to ascertain it, and a failure in the payment of the said transfer duty, within the time prescribed, will subject the party to the same penalties as are to be enforced from defaulters of payment of transfer dues, within the limited time in transactions by purchase, in the first and fifth articles of these regulations.

9. And whereas many persons having rendered themselves liable to penalties under the former proclamations, or for other causes have neglected to pay the transfer duties due to government on the purchase of their estates, and to obtain regular transfers thereof, such persons are therefore to notice, that unless they come forward and pay the aforesaid duties, and procure the necessary transfers of their respective properties, within three calendar months from the date of the present proclamation, they will incur a further penalty of treble transfer duty, which the collector of tithes is hereby required forthwith to prosecute them for the recovery thereof; and the sellers of estates to persons so situated, are also hereby warned, that unless they shall make it appear that they shall have used due diligence in endeavouring to effect the transfers of estates so sold to the respective purchasers, within the time herein prescribed, they, the sellers, will be liable to a penalty of one-half the amount of transfer duty, due on the purchase money of the estate, which shall not then have been transferred, which penalty will be immediately thereafter enforced.

10. It is hereby further provided, ordered and authorized, that all penalties sued for under the present proclamation, shall be recoverable, (provided the suit be instituted within twelve calendar months subsequent to the date of the last default,) either by process in the worshipful the court of justice, or in the court of circuit, or in the court of landdrost and heemraden, before which latter court, the secretary to the district in which the action shall be brought, shall act herein as agent for the collector of tithes and transfer dues, as need shall be.

And that no person may plead ignorance hereof, this shall be published and affixed as usual.

God save the King!

Given under my hand and seal, at the Cape of Good Hope, this 2nd day of January 1818.

(Signed) C. H. SOMERSET.

[Original.]

Letter from HENRY NOURSE, ESQRE., to THE RIGHT HONOURABLE LORD SIDMOUTH.

COPTHALL BUILDINGS, 12th January 1818.

MY LORD,—While the philanthropy of the country is called forth to devise expedients for the relief of the numerous distressed objects which crowd our streets, some of whom have the highest claim upon our national gratitude, and many have the ability to labour for their maintenance could employment be found for them, I am led to conceive that any suggestion tending to this object (however inadequate the source from which it proceeds, or however inapplicable the idea may prove upon enquiry) will not be considered intrusive. It is under this impression, and informed that it is to your Lordship I should address myself, that I venture to submit to your consideration the outline of a plan which appears to me calculated to contribute in some measure at least to the desired relief both present and future, and at the same time be productive of no inconsiderable permanent national benefit in its result in other respects.

As a merchant having an establishment at the Cape of Good Hope, formed there on its conquest, I have occasion to know and frequently to regret the great difficulty experienced in that Colony from the want of manual labour, which is obtained only at a most exorbitant rate, the usual daily hire of a Cooly Boy, (or Black Slave) being $2\frac{1}{2}$ or 3 Rixdollars, equal in the currency of the place taken at par to 10 or 12 shillings, while one good European labourer would do the work of at least three such.

I am convinced that that Colony will with due attention and encouragement become of the highest importance to this Country,

and that it possesses many latent qualities which lay dormant in a great measure for the want of this "material" of manual labour, the present cost and inefficiency of which forms an insuperable bar to all undertakings of enterprise calculated to draw forth these qualities. The labor of the Colony, such as it is, is almost entirely in the hands of the old Dutch settlers, a race of beings who have no idea of improvement from generation to generation, whose accumulated property is in their slaves (the only source of it) whose value is now become enormous, out of the reach of speculative enterprise. These are sent forth each taxed according to their supposed qualification, the caprice or necessities of their Master, with certain weekly stipends; any surplus they may acquire is generally their own, but the taxed sum must be produced under terror of the whip: enquiry is seldom made into the cause of failure, or excuse admitted. They *must* get it, and they do get it, *as* they can.

The climate of the Cape is fine, provisions abundantly cheap, bearing no proportion to the value of labour, and capable of any increase. There are tracts of open country ready to receive, and make immediate return to the hand of industry, but I do not suggest that the individuals at *present* in contemplation should be sent forth in the character of independent settlers, nor is it desirable to introduce into the Colony an idle, knavish, turbulent race of vagabonds. The plan I would submit is that a *discriminating selection* should be made from those who apply for relief in the present exigency, and that to such as are calculated for the object an option should be given of going to the Cape under articles of service for such a given number of years as may be deemed expedient: that each individual making this election should be required to furnish an account of his past life, employment, and qualifications, with all the testimonies of character and ability he can procure to accompany him to the Cape. That when at the Cape a certain price should be fixed upon the articles of each, and their services put up to sale or hire under certain reasonable conditions and arrangements, not difficult I conceive to be defined.

I estimate that fifteen pounds, or less, will find each individual a passage out by the ships constantly going, should no other mode of conveying them which may be suggested be thought better; that five pounds more will find each with comfortable clothing.

Thus the sum of twenty pounds each will amply render them to the Cape, where I estimate, according to the terms and conditions of service, their articles would be disposable at at least thirty, and from that to fifty, sixty, or one hundred pounds each, and still be a cheap acquisition to the Colony. The original advance may then be immediately returned back to the fund from whence it came, the surplus or profit only being retained at the Cape, under fit arrangement, for the temporary support of such as may not (should it so happen), find immediate sale or employment. And should it not be thought fit to return the ultimate profit which I am of opinion would result, a fund might be formed from it in the Colony to support or assist the same individuals in the event of sickness or any unlooked for casual adversity.

I am aware, my Lord, that there is much detail of arrangement necessary, and perhaps some practical impediments, but if the principle of the plan is good and approved I should not despair of these being overcome. The object I conceive is worthy the experiment, and various ideas float upon my mind by which it may be accomplished. The benefit that would result is manifold and extensive. This country, as far as the plan admits, would be immediately relieved at the expense of a temporary advance only from the claims of gratitude and necessity to which no permanent satisfaction can be offered at home, for what is given to one must be taken from another. The individuals themselves, instead of being a burthen on society, would be relieved from present distress, and placed in a field where their industry would not only be capable of supporting themselves, but admit of their multiplying, and by their increasing demands for the manufactures of the Mother Country, instead of detracting from, they would encrease the means of support of those they leave behind, and the Colony would be incalculably benefited by the introduction of a new and more effective system of labor. I believe it to be a fact also that the Slaves of the Colony are by no means increasing in proportion to the growing demand for labor, and that a considerable *diminution* of this source would have occurred ere now but for the casual supply it has received from certain Prize Slaves carried in there, which have been delivered out to the Colonists under certain regulations of servitude.

I am sensible that objections may be taken to the plan I suggest on the idea of its being a species of slavery, and that it

may be extremely difficult to overcome the prejudice of the individuals themselves on this score. No compulsion, however, is suggested, and I am inclined to think that if the subject is placed before them in a proper light many will be found ready to embrace it.

I am aware also that the plan will have to encounter considerable opposition from that class of Colonists to which I have before alluded, and that the most decided sanction and support of His Majesty's Government is necessary to render it effective.

The Cape is still to the regret of every British Settler governed by the old Dutch Colonial Law. These Laws are in the hands and administered by the Dutch Colonists who are the large slave proprietors, whose manifest interest it is to oppose the introduction of any species of labor calculated to deteriorate the value of that which they alone possess. A fine of one thousand dollars is at present levied upon the Master or consignees of any ship leaving an individual behind without permission.

Since writing the foregoing an idea has arisen in my mind by which I think every possible objection may be obviated, and should the outline I have submitted meet your Lordship's concurrence and support, I shall feel most happy to communicate my further views on this subject. I am, &c.

(Signed) HENRY NOURSE.

[Original.]

Letter from SIR HENRY TORRENS *to* HENRY GOULBURN, ESQRE.

HORSE GUARDS, 14th January 1818.

SIR,—I have the Commander in Chief's command to transmit to you, for the information of Earl Bathurst, the extract of a letter dated the 25th October, and a dispatch marked secret, dated the 13th of November, with several enclosures, from General Lord Charles Somerset, enumerating the shocking enormities committed by the detachment of deserters recently sent to complete the 1st Battalion of the 60th and the detachment of the Royal African Corps which was removed to the Cape of Good Hope upon the transfer of the Settlements on the West Coast of Africa to the Crown of France.

You will also be pleased to bring under his Lordship's consideration the representations of the General regarding the inadequacy of his Force, even if a part of it were not so ill composed as it unfortunately appears by the misconduct of the 60th and Royal African Corps.

It is with great pain that His Royal Highness has received such an account of the atrocities committed by these Corps, and he had hoped that the difficulty of providing for the great number of deserters, who in the absence of more exemplary punishment are condemned to serve abroad, would have been partly relieved by the Establishment of the Cape of Good Hope bearing a share, and though this misconduct may be checked by the force of the examples which Lord Charles Somerset will undoubtedly make, and by the presence of active and intelligent officers who will soon proceed to join, particularly the Lieut. Colonel of the Royal African Corps, who was obliged to leave the coast from ill health, yet from the great extent of the enormities committed, His Royal Highness cannot hope that the representations of evil to the Colony made by Lord Charles Somerset will be met by these remedies, and he is therefore constrained to bring the whole case under the view and serious consideration of the Secretary of State, being himself at a total loss to suggest the means of disposing of the men. I have, &c.

(Signed) H. TORRENS.

[Original.]

Letter from H. HOBHOUSE, ESQRE., to HENRY GOULBURN, ESQRE.

WHITEHALL, 15th January 1818.

SIR,—I am directed by Lord Sidmouth to transmit to you, and to request you will lay before Lord Bathurst, the inclosed communication which His Lordship has received from Mr. Nourse, containing a plan for relieving and finding occupation for a considerable number of distressed and unemployed individuals, by affording them the facilities therein proposed of proceeding to the Cape of Good Hope, to be employed there as labourers, a

measure which he conceives would be very beneficial to the Colony, and prospectively to the interests of this Country.

I have &c.

(Signed) H. HOBHOUSE.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 20th January 1818.

MY LORD,—Such representations have been made to me of the distressed state in which Mrs. Thomas Sheridan and her family are left by the death of her husband, that notwithstanding the great unwillingness which I have to encreasing the financial burthens of the Colony, I have not been able to refrain from submitting her deplorable Case to the Consideration of His Royal Highness The Prince Regent and recommending her for a moderate allowance on the Establishment of the Cape, of which he has for some time acted as Civil Paymaster.

I have now the satisfaction of acquainting you that His Royal Highness has been graciously pleased to approve of her receiving from the Colony an annual pension of Three hundred Pounds Sterling during her Widowhood, in consideration of her very distressing and peculiar Situation and of the long public service of her husband's father.

I have therefore to desire that Your Lordship will take the necessary Measures for issuing it to her from the date of the death of the late Mr. Thomas Sheridan. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 20th January 1818.

MY LORD,—I transmit herewith to Your Lordship a letter from the Secretary of the Board of Ordnance to my Under Secretary

stating that the Officers of that Department at the Cape of Good Hope had transmitted a representation to the Board in which they complain of being the only Public servants at that Station to whom the Privilege of receiving and forwarding letters post free is not extended.

I have to request that Your Lordship will take this subject into Your Consideration and favor me with your Opinion whether all the Departments of Government at the Cape should not be placed on a corresponding footing, either by extending to the Officers of Ordnance the privilege granted to others, or by charging the letters of all the Public Servants. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 24th January 1818.

MY LORD,—I have the honor to transmit to Your Lordship a Petition which has been addressed to me by certain Negroes at the Cape of Good Hope, in which they state that they are illegally detained in slavery, and to request that Your Lordship would make such Enquiries into the Circumstances of the Case stated, and report for my information as may enable me to decide upon the Merits of the Case. I have &c.

(Signed) BATHURST.

[Original.]

Letter from THOMAS LACK, ESQRE., to HENRY GOULBURN, ESQRE.

OFFICE OF COMMITTEE OF PRIVY COUNCIL FOR TRADE,
WHITEHALL, 27th January 1818.

SIR,—The Lords of the Committee of Privy Council for Trade having had under their consideration the copy of a dispatch from the Governor of the Cape of Good Hope, (transmitted in Your Letter of the 16th Instant) in which he points out the expediency

of authorizing a direct intercourse between the Cape and His Majesty's Settlements in the West Indies, for the purpose of supplying the latter with provisions; and their Lordships having thought fit to call on Mr. Reeves, the Law Clerk of this Department, to state whether there is anything in the Navigation or other Laws to prevent a free intercourse between the Cape of Good Hope and any of His Majesty's other Foreign Possessions in their respective produce; I am directed to transmit to you, for Lord Bathurst's information, a copy of Mr. Reeves' report, from which it appears that there is no need of an Act of Parliament for opening such intercourse. I am &c.

(Signed) THOMAS LACK.

[Original.]

Letter from H. T. COLEBROOKE, ESQRE., to EARL BATHURST.

HAMPSTEAD, 28th January 1818.

MY LORD,—As a proprietor of extensive estates in the Colony of the Cape of Good Hope, I beg leave to represent to your Lordship certain hardships under which that Colony labors, and to solicit your notice to some points, in respect of which the Colony is subjected to divers disabilities and exclusions productive of serious discouragement, in regard to its intercourse with other Colonies and with the mother country.

By the corn laws of Great Britain, particularly by 55 Geo. 3, c. 26, the British Colony of Southern Africa is left upon the footing of a foreign country, while privileges are allowed to the colonies in North America. From these, corn may be imported into Great Britain for home consumption, when the price of British wheat exceeds 67 shillings per quarter, and that of other sorts of corn in proportion. But, from the Cape of Good Hope, as from foreign countries, wheat may not be entered for home consumption, when the price of British wheat is averaged at 80 shillings.

With deference I submit to your Lordship's consideration, that the reasons which dictate the indulgence to the North American Colonies of Great Britain, are equally applicable to the Settlement of the Cape of Good Hope. It evidently can use and consume English Manufactures only in proportion as it is enabled to pay

for them with its gross produce. The consumption of manufactures is already restricted below its actual wants by the difficulty of making returns: a difficulty demonstrated by the very unfavorable rates of exchange, and especially the enormous premium of 125 and 140 per cent, which has been recently paid. For this inordinate premium of exchange with England is not to be solely imputed to the depreciation of the Colonial paper currency. Like other newly settled or thinly planted countries, Southern Africa must long be agricultural, and its corn must be a staple article of its export. During the past year, while the ports of Great Britain were open to the importation of foreign corn, several cargoes were received from the Cape of Good Hope, and among them some of very approved quality which sold for satisfactory prices. But the importation of foreign corn being now prohibited, if any from the Cape of Good Hope be yet in transit, it will be precluded from a present sale, while the Corn of Canada and Nova Scotia continues to have free admission. I conceive, that the extension of the same indulgence to the Colony of the Cape, is an expedient measure, as tending to facilitate its regular returns for manufactured goods imported there from Great Britain.

Fish oil is another article which may become a staple export from the Cape to Great Britain. Southern Africa possesses a Whale fishery in its own bays and harbours; and it is advantageously situated for participation in the whale fishery of the South Seas. But, in regard to every sort of fish oil, the Cape of Good Hope is upon the footing of the least favored British Settlements; and the disproportion is greatest upon the best oils; amounting nearly to a prohibition, for it is sixty-three times as great as that which is payable on similar oil obtained in the direct British fishery. From the favored Settlements of Newfoundland, Canada, and Nova Scotia, fish oil is admitted on payment of a duty little exceeding that which is imposed on the British fishery. But the Cape, with other unenumerated British Settlements, is burdened with a high and discouraging duty scarcely inferior to that which is imposed on a foreign import.

It is a subject in which naturally I take an interest, as several of my estates are situated on the shore of bays, which at certain seasons are visited by whales; and in which these are with little difficulty killed.

I beg to draw your Lordship's attention, particularly, to this

object, at the present time, when recent circumstances have shewn that the ordinary fishery has declined, and is unable to provide a supply adequate to the wants of Great Britain.

Hitherto the chief article of export from the Cape of Good Hope, no doubt, has been its wine; and being the only wine Colony of Great Britain, it may not unreasonably hope to receive a continuance of protection and encouragement for that article. The Chancellor of the Exchequer has, however, notified an intention of proposing an increase of the duties, which were imposed at reduced rates, a few years since. (53 Geo. 3, c. 84.) The effect of this expected measure will assuredly be an increase of the difficulty already experienced in making returns for the British goods used in Southern Africa; and the decline of the wine trade, consequent on the augmentation of the duty, will render it the more necessary to foster and encourage other articles of Colonial produce.

The situation of the Cape of Good Hope, in the line of communication with the more distant possessions of Great Britain in India and Austral Asia, indicates it as a Settlement especially deserving of encouragement, on grounds of state policy, as materially tending to the aid and support of the British Eastern empire; and upon considerations of commercial policy as a convenient intermediate mart. It may become peculiarly important, should Great Britain establish in New Holland a colonizing settlement governed by appropriate colonial laws and distinct from the actual receptacle of convicts at Sidney, and consequently not depressed by the discouraging circumstances incident to the condition of a settlement where criminals suffering the sentence of the law constitute a numerous class of the inhabitants. The superabundant population and overflowing capital of Great Britain would be well directed to its colonies instead of foreign countries. Augmented resources and increased populousness of a Colony will enlarge its consumption of manufactures. Southern Africa and the remoter region of Southern Asia are adapted by climate to become beneficial Colonies, when peopled by a race retaining British habits, consequently consuming British productions and manufactures; and sending the more opulent colonists to reside in the mother country upon incomes derived from colonial property. Under all these circumstances, joined with others not less obvious, I conceive it to be an unquestionable point of good policy to promote the

prosperity of the Cape by facilitating its intercourse and commercial relations with other British plantations, as well as with the parent country.

But the Cape of Good Hope is, in regard to the West Indian Settlements, upon the footing of a foreign country. The ports of West Indian Islands and Provinces on the continent of South America belonging to Great Britain, which are open to the importation of provisions and lumber from British plantations in North America, and sometimes opened to imports from the United States, are at all times closed to the Colony of the Cape. Yet if the navigation laws were made as favorable to it as to Canada and Nova Scotia, Southern Africa might furnish to the Islands of the West Indies wine, corn, and cured provisions, perhaps lumber, taking in return West Indian produce as sugar and other tropical productions which it now receives from the East Indies.

Even in its trade with a less distant island, St. Helena, the Cape is subject to restrictions which may admit of beneficial mitigation, in perfect consistency with the precautions which present circumstances render necessary at that place. A particular permission, as I am informed, would be requisite for a direct trade to that island from Saldanha Bay. This, however, is the harbour most conveniently situated for forwarding supplies which the island needs, viz. cattle, flour, salt-fish, cured meat, wine, and brandy. For want of such provision, the island is debarred from receiving its necessary supplies from the nearest port and cheapest place.

I beg leave to offer to your Lordship's notice another subject, in which I am more directly concerned than in any of those which have been yet touched upon in this address. It is doubtless not unknown to your Lordship that the port of Saldanha Bay, the best in Southern Africa and acknowledged to be among the safest and most commodious anywhere known, has hitherto labored under the disadvantage of a deficiency of fresh water during the greatest part (eight months) of the year. Possessing much property on the shore of that bay and in its vicinity, it is my intention to take measures for remedying the deficiency by the construction of reservoirs, and by other expedient means contemplated for ensuring abundant supplies of fresh water at all seasons. The expense cannot but be great; and I conceive that I shall be justly entitled to a suitable recompense for water supplied from such artificial resources

to ships resorting to the harbour. But I am given to understand, that for this purpose a permission of the Government will be requisite to authorize a charge to be made to His Majesty's vessels of war, as well as to private trading vessels, touching there, for water furnished from cisterns, artificial reservoirs and other constructions on lands appertaining to the individuals making the charge. I humbly submit that, on this point, a reference should be made to the local Government authorizing a rule to be established, after due inquiry, to sanction a fair and equitable compensation regulated, as in other ports under analogous circumstances, by the quantity of water supplied. I have &c.

(Signed) H. T. COLEBROOKE.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 30th January 1818.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's dispatch 97.

I have communicated upon the Subject to which it relates with the Lords of the Committee of Privy Council for Trade and Plantations, and I transmit now for Your Lordship's information a Copy of their Secretary's reply, by which You will perceive that the Authority of an Act of Parliament is not required to open an intercourse between the British Islands in the West Indies and His Majesty's settlements at the Cape of Good Hope.

His Majesty's Government concur entirely with your Lordship in opinion as to the expediency of giving every possible encouragement to this intercourse, which holds out so great a prospect of Advantage both to the Colony under Your Administration and His Majesty's Possessions in the West Indies. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, 2nd February 1818.

MY LORD,—An Application having been made to me by Mr. Wagner requesting to be furnished with information as to the existence or death of John Bohringen, a Native of Wurtemberg, who is represented as having resided at the Cape of Good Hope, I have to desire Your Lordship would be pleased to direct enquiry to be made respecting the person in question, and that you would transmit to me a Certificate legally verified of his existence, if it should appear that he is still alive and residing within the Limits of Your Government ; or of his burial if it should prove that his death and interment took place in the Colony. I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, 5th February 1818.

MY LORD,—I have the honour to acknowledge the receipt of Your Lordship's dispatch marked secret of the 12 November last, which has been duly laid before His Royal Highness The Prince Regent.

His Royal Highness cannot but deplore the Transactions detailed in it, so disgraceful to the Character of the Army and so prejudicial to the interests of the Colony. His Royal Highness however trusts that by substituting with as little delay as possible a British Regiment of good Composition and Character for the Battalion of the 60th Regiment now serving in the Colony, and by adopting hereafter some Measures for preventing any addition to the Number of Deserters now serving in the Colony, Your Lordship will have adequate Means for repressing the spirit of insubordination which has so unfortunately prevailed and for

carrying into effect those salutary arrangements which have been delayed by the Misconduct of the Troops under Your Lordship's Command. I have &c.

(Signed) BATHURST.

[Copy.]

Letter from LORD CHARLES SOMERSET to REAR ADMIRAL PLAMPIN.

CAPE OF GOOD HOPE, 6th February 1818.

SIR,—I beg to transmit to Your Excellency a copy of a letter which I have received from the Comptroller of His Majesty's Customs at this port, reporting a practice which appears to have crept in, greatly prejudicial to the public revenue, of the King's store ships sailing to and from St. Helena in the character of mere Merchant ships, without reporting, clearing, or producing manifests at the Custom house.

I am satisfied that it is only necessary for me to bring this matter to Your Excellency's cognisance, in order to induce your Excellency to take such steps as the case shall appear to you to require. I have &c.

(Signed) CHARLES HENRY SOMERSET.

A similar letter was sent to Sir Jahleel Brenton.

[Copy.]

Letter from SIR JAHLEEL BRENTON to LORD CHARLES SOMERSET.

SIMON'S TOWN YARD, 11th February 1818.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's letter of the 6th instant, which reached me last night, with its inclosures, respecting the Merchandize carried in the *Hyæna* store-ship from Table Bay.

I beg leave to inform your Lordship that the *Hyæna* is no longer a store-ship under the direction of the Navy Board, but attached immediately to the squadron under the orders of the Rear Admiral commanding in chief on this station for the specific

purpose of taking supplies to the Island of St. Helena. I shall lose no time in forwarding him your Lordship's communication on the subject.

As the employment of ships of war on such a service is entirely a new case, I take the liberty of explaining to your Lordship the nature of the Admiral's orders, which renders such a part of her cargo as may be enumerated in them perfectly official.

The Master of the *Hyæna* was directed to proceed to the Cape of Good Hope and to receive from the Agent Victualler provisions and cattle, according to a demand from the purser of the Flagship approved by the Admiral, and from Mr. Luson a quantity of provisions required by His Excellency the Governor of St. Helena in addition to which he was to take on board a quantity of private stock for officers of the garrison, whose requests for this accommodation had been approved by the Commander in Chief of their respective services.

The Master of the *Hyæna* is by no means justified in receiving on board any articles of trade beyond what was thus officially ordered, but on the contrary, expressly forbidden to do so by the Articles of War: should any illicit practice be suspected, the Comptroller of the Customs has it in his power to take any steps he may judge necessary, consistent with the nature of his office, by putting officers on board or otherwise, but I feel convinced the Admiral will never consent to the measure of a ship under his command being subjected to the forms prescribed for Merchant vessels, as suggested by the Comptroller's letter to your Lordship of the 27th Ultimo, as the Flag ship even, after refitting here, might be ordered to take down a quantity of articles of a similar nature. The Admiral will be enabled to judge, by comparing the list of articles for which permits were granted at the Custom House, with those contained in his order, whether the Master of the *Hyæna* has exceeded his instructions, and will, I am convinced, immediately take such steps as may prevent any improper conduct in future. I have &c.

(Signed) J. BRENTON.

[Copy.]

*Letter from the COLONIAL SECRETARY to the
HARBOUR MASTER OF SIMON'S BAY.*

COLONIAL OFFICE, 12 *February* 1818.

SIR,—I am directed by His Excellency the Governor to acquaint you that upon a consideration of your report of the arrival of the Portuguese Ship *Flor da Bahia* with 329 Slaves, bound to St. Salvador and detained by the Private Ship *Atlas*, His Excellency desires that the said vessel may be kept in strict quarantine, with the exception of calling upon the person doing the duty of Officer of Health to afford every assistance practicable to the sick. His Excellency will communicate the circumstances of the detention of this Vessel to the proper authorities, subsequent to which you will receive further instructions in this regard. I have &c.

(Signed) C. BIRD.

[Copy.]

*Letter from DEPUTY SECRETARY BIRD to the
COMPTROLLER OF CUSTOMS.*

COLONIAL OFFICE, 13th *February* 1818.

SIR,—In reply to your letter of the 27th of last month, reporting a practice which appears to have crept in greatly prejudicial to the Public Revenue, of the King's store-ships sailing to and from St. Helena in the character of mere Merchant ships, without reporting, clearing, or producing manifests at the Custom House, I am directed by His Excellency the Governor to transmit to you the enclosed extract of a letter from the Naval Commissioner, to whom His Excellency had referred your communication in explanation of the case in question. I have &c.

(Signed) C. BIRD.

Office Copy.]

Letter from EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, 20th February 1818.

MY LORD,—I do myself the honour to acquaint Your Lordship that the Emperor of Russia has appointed Mr. Harrington to act as Russian Consul at the Cape of Good Hope; and I have to desire Your Lordship to receive Mr. Harrington in that Capacity.

I have &c.

(Signed) BATHURST.

[Copy.]

Letter from CAPTAIN JOSÉ DOS SANTOS FERREIRA *to*
LORD CHARLES SOMERSET.

ON BOARD THE BRIG *Flor da Bahia*,
26 February 1818.

Most Excellent the Captain General of the Court of Table Bay,—I have not waited upon Your Excellency as I have not been allowed to leave this place. I am ignorant what can be the reason Your Excellency has detained me in this port so many days, as Your Excellency knows that a cargo of slaves is a cargo very liable to damage. Your Excellency is well informed that in this Port is the Brig *Flor da Bahia*, of Portuguese build and the property of a subject of Portugal Philip Justinian Costa Ferreira, sailing from the City of Bahia to Mozambique, and that in December 1816 this same brig put into this port being then Captain Joseph Masting Gomes; and now coming from Mozambique with 22 days passage, in Lat. 36° 44' S. and Long. 19° 50' E. of London having run 3 days by dead reckoning without taking observations I met with a Merchant Ship which I approached to enquire the exact point where I was, immediately the English Captain Joseph Short of the Ship *Atlas* committed the violence of ordering me to be brought into this port by 7 English persons, and took from on board of me 10 men of my crew and conducted them on board his ship, where I immediately protested against the injury, loss, and prejudice, death of the slaves, and everything else it was my duty to protest against since the day he detained

me. I trust your Excellency will despatch me as soon as you can, for I am consuming (or injuring) the slaves and provisions, and the time of the monsoon for doubling the Cape is already getting short. I have already delivered all my papers respecting the brig, and have been here 16 days without receiving any answer, and have been sufficiently insulted and threatened by words, by a surgeon who has attended the Negroes, and I have to inform Your Excellency that these extraordinary expences which the brig has incurred ought to be paid on account of the person who injured the plan of the speculation, and not as they wish to make me pay. Your Excellency will therefore decide, what is reasonable and just. I do not wait personally on you, because I have been for 3 days confined with a fever and ague, therefore sent my pilot to make my compliments, and hope Your Excellency will decide shortly.

(Signed) JOSÉ DOS SANTOS FERREIRA.

[Copy.]

Proclamation by LORD CHARLES SOMERSET.

Whereas it is to be apprehended, from the late Importation of certain Wines of an inferior quality, and from the Information which I have received, that interested Persons, wishing to bring into disrepute the Wines of this Colony, are about to introduce a larger quantity of such inferior Wines, that attempts may be made to re-export such Wines, as Wines of the growth of this Colony, or mixed with the Wines of this Colony, to the great detriment of the growing reputation of Cape Wines, and to the risk of endangering the generous and beneficent preference given to our Wines by the Mother Country. To guard, therefore, against all Frauds of such nature, which may be attempted against the Revenue of Great Britain, or against whatever may risk the reputation of our Staple Commodity, or endanger those Preferences so generously afforded us by His Royal Highness the Prince Regent; Be it hereby ordered,

1. That the Collector of Customs shall forthwith make the Wine Taster acquainted with the quantity and quality of foreign Wine in Cask, which has been landed since the first day of the

present year, describing the Casks and Marks, and stating by whom the Importation has been effected.

2. In like manner, on the future Importation of any foreign Wine in *Cask*, the Collector shall lose no time in making the Wine Taster acquainted with the particulars above directed.

3. The Wine Taster shall, upon receiving such communication, proceed to the Importer, and require from him an inspection of the Cask Wine as aforesaid; he shall ascertain the quality of the Wine, and the quantity each Cask contains, noting carefully whether such Casks be full or deficient.

4. The Importer, or Person having possession of these Wines on his part, is hereby required to give to the Wine Taster aforesaid, every facility for ascertaining the Points directed in the preceding Article; and should such Importer, or other Person, refuse the information aforesaid, or obstruct the Wine Taster in the performance of the duties which he is by this Proclamation called upon to perform, the Wine so imported will be forthwith liable to seizure, and the Importer, or Person having the Wine in his possession, be liable to a fine of 500 Rix Dollars, the amount of which Fine, however, may be mitigated by the Commissioner of the Court of Justice, before whom Cases of this nature, and the further Cases specified in this Proclamation, shall be brought according to the circumstances of the Case.

5. The Importer, or Person having possession of the Wines in question, shall, with the least possible delay (that is, within 24 hours at farthest) give notice to the Wine Taster of the disposal or removal of the aforesaid Wines; said Importer or other Person being hereby subjected to a penalty of 50 Rds. for each Cask removed or disposed of, without such notice being given as above directed, so that the Wine Taster, or Person duly authorised by him, shall have constant information as to where the aforesaid Wines are: And all Persons, into whose possession such Wines may come, are hereby called upon to conform to the Regulations prescribed by the preceding Article, and are moreover made liable to the like penalties, in case of contravention.

6. The Wine Taster shall, from time to time, visit the Stores or Cellars where the aforesaid Wines are deposited, in order to ascertain that the aforesaid Regulations have been strictly attended to, and the Occupiers of such Stores or Cellars are hereby required to admit the Wine Taster, or Person duly authorised by him, into

such Stores or Cellars, for the purpose aforesaid, under a penalty of 100 Rds. for refusal thereof.

7. But as it may nevertheless happen, that frauds may be attempted to be practised, in the Export of Wines, it is hereby further ordered, that, if upon the examination and tasting of any Wines about to be exported, the Wine Taster shall have any well grounded suspicion, that in such Wines there is any admixture of Foreign Wines, he shall be bound forthwith to seize and secure such Wine, and report to His Majesty's Fiscal his having so done; whereupon His Majesty's Fiscal is hereby ordered and directed to summon a Jury of seven Wine Merchants, who shall be drawn for by lot from among the registered Wine Merchants of this Town, and having sworn this Jury upon the Holy Evangelists, he shall proceed with them to taste the Wine seized; and if it shall be the opinion of the majority of the aforesaid Jury, upon Oath, that the Wine seized has an admixture of Foreign Wine in it, His Majesty's Fiscal is hereby ordered to cause the same to be forthwith spilt, by having the Heads of the Casks knocked in. And that no Person may plead ignorance hereof, this shall be published and affixed as usual.

God save the King!

Given under my Hand and Seal at the Cape of Good Hope, this 27th day of February, 1818.

(Signed) C. H. SOMERSET.

[Copy.]

*Letter from the Collector and the Comptroller of Customs
to the Deputy Colonial Secretary.*

CUSTOM HOUSE, CAPE TOWN, 27th February 1818.

SIR,—In answer to the honor of your letter of the 15th enclosing one from the Commissioner of His Majesty's Navy to His Excellency the Governor, we take the liberty of remarking that it was specially stated in the letter of the Comptroller of Customs that his observations did not apply to the *Hyæna*, but generally; and that they were brought forward at that moment because there was no other ship then in the Bay.

We have no wish to subject ships of War to Custom House

Jurisdiction. The act of the Admiral employing ships of War to carry merchandize, forces upon us and upon them the Act of the 13th and 14th Charles 2, now the Law of the land, by which Ships of War are under a penalty of £100 and seizure of the goods to render in writing to the Custom House the names of every Merchant and Lader of goods with the numbers and marks and quality of merchandize.

His Excellency also requires from us a particular account of every article exported and its value. It is a document when applied to produce, important in its explanation of the domestic trade of the Cape. Provisions, cattle, &c. to an unusual amount are now shipped unknown to us; and our returns of exports will be very incomplete.

We shall therefore be obliged to you to lay the matter before His Excellency the Governor, that we may be favored by his order for our guarantee. We have &c.

(Signed) CHS. BLAIR, Collector of Customs.
W. WILBERFORCE BIRD,
Comptroller of Customs.

[Office Copy.]

Letter from HENRY GOULBURN, ESQRE., *to* LORD
CHARLES SOMERSET.

DOWNING STREET, 4th March 1818.

MY LORD,—I am directed by Lord Bathurst to introduce to Your Lordship's Notice and Protection Mr. Peter Tait, the Bearer of this Letter, who is proceeding to the Cape with a View of acquiring some Knowledge of the Country preparatory to the Employment of his Funds and Talents in the Cultivation of the Land which may be granted to him.

Mr. Tait has been recommended to Lord Bathurst as a Person constantly employed and well skilled in farming; and as I understand he has engaged a Number of his Countrymen to follow him to the Colony with a view of being employed under his direction, Lord Bathurst considers him to be one of those Persons most likely to become valuable Settlers.

His Lordship has therefore directed me to request that Your Lordship would give due consideration to the proposals which he may make to you and give him such a Grant of Land as may appear to You suited to his means of Cultivation. I have &c.

(Signed) HENRY GOULBURN.

[Copy.]

*Letter from the Deputy Colonial Secretary to the
Collector and Comptroller of Customs.*

COLONIAL OFFICE, 11th March 1818.

GENTLEMEN,—In reply to your letter of the 27th ulto., I am directed by His Excellency the Governor to inform you that having referred your former communication on the subject of the King's ships trading between this place and St. Helena to the admiral on the station, His Excellency can take no further steps therein until such time as he shall have received an answer thereto. I have &c.

(Signed) C. BIRD.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 12th March 1818.

MY LORD,—It is with extreme diffidence that I venture to address your Lordship on the present occasion to solicit a reconsideration of a reply which has been given, by Your Lordship's direction, to an application which was made by me, through the Military Channel. I should, indeed, not venture again to submit a case which has been once before Your Lordship, were I not under the strong impression that the answer which has been given to it had been the natural result of insufficient elucidation on my part. The case which I should wish again to draw Your Lord-

ship's attention to is the very hard one of the officer on this Station next in Seniority to myself. Your Lordship is aware that the Governor's principal residence here is several miles from Cape Town. The officer next in seniority resides therefore, in, and has the command of Cape Town Castle, and in this capacity is under the necessity of receiving the very great number of officers who daily arrive here, either from Europe or India, whether those officers belong to Foreign Nations, which frequently occurs, or to our own Establishments, which almost daily happens. It is the practice of all garrisons, that officers, on arrival in them, shall wait upon the senior officer, and this practice upon all Stations, induces more or less expence, according to circumstances, as some claims upon the hospitality of the person waited upon are not to be parried. Here the local situation exposes such officer, as well as myself, to daily and often inconvenient intrusion, and in no other station is there not some fund allowed to enable an officer, so situated, to meet the exigence; even on this station at Simons Town and at Fort Frederick a small remuneration is granted upon this very necessary plea; and in neither of those places could the allowance be dispensed with; why, then, will Your Lordship ask, has not a similar allowance been hitherto made to the Commandant of Cape Castle? because till now the Station was held by an officer whose extra pay enabled him to face the expence to which the situation exposed him; either by the Lieut. Governor, who was a general officer and received pay as such, or by a general officer on the staff.

The pay of a Lieut. Colonel is totally inadequate hereto, and it is within my knowledge (by experience) that such an officer cannot, without great pecuniary sacrifice and inconvenience meet the unavoidable expenditure to which he is, from these circumstances, liable. For these urgent reasons, therefore, I solicit Your Lordship's permission to issue a colonial allowance, not exceeding twenty shillings per diem, to the officer next in seniority to myself, on this extensive station, who shall have the command in Cape Town Castle. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Office Copy.]

Letter from HENRY GOULBURN, ESQRE., to M. D'ESCURY.

DOWNING STREET, 14 March 1818.

SIR,—I have the honour to acknowledge the receipt of your Letter of the 2nd of January last, and to acquaint you in reply that with every disposition to forward an object so desirable to you as your removal to the Mauritius, I cannot hold out any encouragement as to its being in Lord Bathurst's power to sanction the arrangement which you consider preliminary to such a removal, Lord Bathurst having already received various applications from Civil Colonial Servants to be relieved from the effect of the Exchange upon their Salaries, and having uniformly replied that such a Measure, if adopted at all, could only be adopted generally, and that He at present saw no reason for making any alteration in the existing arrangement on this Subject. I am &c.

(Signed) HY. GOULBURN.

[Copy.]*Letter from the Colonial Secretary to the Collector of Customs.*

COLONIAL OFFICE, 18th March 1818.

SIR,—Referring to the Proclamation of the 27th of last month, on the subject of certain Spanish Wines which have been brought in to these Harbours, and with the view of more completely counteracting the attempts which are making to effect the mixture of these wines with Cape Wines, after they shall have been embarked in these Bays, I am directed by His Excellency the Governor to desire that no Cape Wine may be permitted to be embarked on board any vessel bound to the Westward, which shall have on board any Spanish, or other inferior wines not of the growth of this Colony in cask, and also that no permit shall be granted for the shipment of any Spanish or other inferior wines, not of the growth of this Colony, in cask on board any vessel having Cape Wines on board for the British Market. I have &c.

(Signed) C. BIRD.

[Copy.]

Letter from REAR ADMIRAL PLAMPIN to
LORD CHARLES SOMERSET.

HIS MAJESTY'S SHIP *Conqueror*, ST. HELENA,
31st March 1818.

MY LORD,—By the *Redpole* I had the honor of receiving Your Lordship's letter of the 6th February last enclosing the copy of a letter from the Comptroller of His Majesty's Customs at the Cape, reporting a practice said to have crept in prejudicial to the Public Revenue, also copies of permits obtained by Mr. Hicks commanding His Majesty's Store-ship *Hyæna* (on his last voyage from the Cape) by comparing which with my order to him, I perceive there were about 16 Muids of grain, several kegs of butter, some pipes of wine, and a few cheeses, beyond my order, for which permits were obtained; with respect to correcting these abuses, Your Lordship's wishes on that head were already anticipated, as in consequence of having discovered that Mr. Hicks had brought down several sheep, many muids of grain, and other articles beyond what I had ordered him to receive for the Island, the squadron, and His Majesty's officers of both services here, I gave him on his departure for the Cape the strictest orders not to ship anything on board the *Hyæna* unauthorized by me, and I have also given the same instructions to the master of the *David* Transport.

Commissioner Sir Jahleel Brenton, in his letter of the 11th ultimo to your Lordship, has fully expressed my sentiments with respect to a ship bearing His Majesty's Pennant being subjected to the forms prescribed for Merchant Vessels, as suggested in the Comptroller's letter to Your Lordship of the 27th January; until I perused that letter I was not aware that His Majesty's store ships were sailing to and from the Cape in the capacity of mere merchant ships, and carrying general freight, nor indeed do I think that circumstances bear him out in that assertion. That Mr. Hicks has taken the liberty of shipping things *on his own account* without authority from me I admit, which abuse I have corrected in such a manner as I have no doubt will deter him from any such improper conduct in future.

I beg Your Lordship will be persuaded that I shall always

consider it as much my duty as it is my inclination to co-operate with you for the general benefit of His Majesty's Service.

I have &c.

(Signed) ROBERT PLAMPIN,
Rear Admiral and Commander in Chief.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 8th April 1818.

MY LORD,—In my letter of the 13th of September last I had the honour of transmitting for your Lordship's approbation the intended establishment of the Colonial Corps upon the reduction of the late Regiment. Your Lordship will have perceived that, with the view of placing the establishment upon the lowest possible scale and thus contracting our expenditure as much as practicable, I had not appointed any officers to that proportion of the Corps which is composed of cavalry. More experience has however shewn me that the description of men of which the Corps is principally composed (viz. Hottentots or Natives of that mixed breed known here under the name of Bastards) are less easily controlled without the immediate interference of Commissioned Officers, than any others, and I am therefore under the indispensable necessity of requesting your Lordship's sanction to the appointment of a Captain and Lieutenant to the Colonial Troop of Cavalry.

Should your Lordship come into my view of the urgency of this measure, I shall esteem it as a favour that you will communicate your sanction thereof to His Royal Highness the Commander in Chief, in order that no time may be lost in having the appointments officially promulgated. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from SIR HENRY TORRENS *to* HENRY GOULBURN, ESQRE.

HORSE GUARDS, 15th April 1818.

SIR,—It being of great importance that the 1st Battalion of the 60th Regiment now at the Cape of Good Hope, should be relieved without delay, I am commanded by the Commander in Chief to acquaint you, for the information of Earl Bathurst, that the 38th Regiment, now at Plymouth, has been selected to replace that Battalion. I have therefore His Royal Highness's commands to request you will move His Lordship to give directions that tonnage may be expedited for the conveyance of the 38th, about 750 rank and file, to the Cape, as well as for the return to this country, in the same vessels, of the 1st Battalion of the 60th Regiment. I have &c.

(Signed) H. TORRENS.

[Original.]

Letter from MESSRS. HARVEY & NICHOLSON *to* EARL BATHURST.

LONDONDERRY, 20th April 1818.

MY LORD,—The Emigration to America from this and the neighbouring ports has encreased to a magnitude scarcely to be believed, occasioned by the cheap passage to the British Settlements, which is merely a channel of conveyance to the United States, by which means we are losing our best tradesmen and artizans to the great prejudice of our own Settlements.

We are therefore induced and intend to send one of our vessels to the Cape of Good Hope, and with the assistance of Government we have no doubt but we may be able in a short time to turn the tide of Emigration from this to that Country. Your Lordship will please observe by the Advertisement (which we take the liberty to enclose) that we are ourselves sending out tradesmen, and we can only expect to be reimbursed for the expence of their passage by giving them a certain time to pay it after their arrival, but it

would not be in our power to send out their families on those conditions. We therefore submit to Government that they should allow us five guineas for each woman and child that may be conveyed to that Colony. And we propose that the money should not be paid by Government until a certificate is returned (signed by the Secretary of the Colony) of their safe arrival. With this encouragement we have no doubt but many industrious and well conducted families would be induced to go to the Cape, the utility of which must be obvious. We beg leave to submit this to Your Lordship's consideration, and trust we shall be favored with an answer. We have &c.

(Signed) HARVEY & NICHOLSON.

[Enclosure (Printed)]

For the Cape of Good Hope.

The fine Brig *Hope*, Burthen 300 Tons, Duncan M'Cormick Master, Will Sail for the above Port in the Month of June next. The Cape ranks first of all the British Settlements; its Soil is extremely rich and its Climate delightful; neither the heat of Summer nor the cold of Winter are excessive, but the Seasons temperate, mild, and genial throughout the whole Year. The Fruits of the Earth grow in continued succession, and all kinds of Provisions are cheaper than in any other Country in the World.

Tradesmen generally receive for Wages from sixteen Shillings to one Pound sterl. per Day, and by good conduct and industry a Fortune may be made in a very few years. Government, instead of preventing emigration to this enchanting Country, give it every possible encouragement. So favourable an opportunity as the present may never again occur here. For Freight or Passage apply to

HARVEY & NICHOLSON.

N.B. A few good Tradesmen, well recommended, will be taken on redemption on reasonable terms.

LONDONDERRY, 28th March 1818.

[Office Copy.]

Letter from LORD BATHURST *to* LORD CHARLES SOMERSET.

COLONIAL OFFICE, 21st April 1818.

MY LORD,—With a view to facilitate the Arrangements which have been made for the issue of half pay to Officers of the Civil Establishment of the Cape of Good Hope, during their residence in this Country on leave of Absence from the Colony, I have to desire You would be pleased to cause Certificates to be furnished to such as may obtain Your permission to return home, specifying the term for which Leave has been granted to them, the Names of their Offices, the Amount of their Salaries, and the date to which their Accounts have been settled.

The Colonial Agent in London will be directed not to make any payments to Officers who after the receipt of these Instructions shall arrive in this Country from the Cape of Good Hope without being provided with a document of the above description; and You will not consider yourself authorized to sanction the issue of the Salaries or allowances of any Civil Officers returning to the Cape of Good Hope unless they shall produce a Certificate from the Agent stating what payments have been made to them in this Country. The Colonial Agent will likewise be instructed to deliver Certificates to Officers who upon their Appointments may receive Advances to enable them to proceed to the Cape, the amount of which will of course be deducted from their Salaries.

I have &c.

(Signed) BATHURST.

[Office Copy.]

Letter from H. GOULBURN, ESQRE., *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 21st April 1818.

MY LORD,—I am directed by Earl Bathurst to introduce to Your Lordship's protection, Mr. Thomas Rowlandson, the Bearer of this Letter, who proceeds to the Cape with the view of settling there.

His Lordship requests that You would make to Mr. Rowlandson such a grant of Land (in the Vicinity of his Friend Mr. Moody's Settlement) as his means may enable him to cultivate.

I have &c.

(Signed) H. GOULBURN.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

COLONIAL OFFICE, 30th April 1818.

MY LORD,—I have recently received information that a channel of correspondence has been opened between the French Persons resident in St. Helena and an Individual at Bahia, with the details of which it is necessary that I should acquaint Your Lordship.

That a correspondence has taken place between Longwood and Bahia by the Way of the Cape of Good Hope, without the intervention or knowledge of Sir Hudson Lowe, admits of very little doubt, and it is only a few days since that a packet of letters from Longwood was delivered to a person in London by another arriving from Brazil. On an examination of this transaction it was out of my power to discover the Name of the person actually engaged in carrying on this Correspondence. It appeared however that the person was an Englishman or an American usually resident at Bahia, that he had been twice to St. Helena by way of the Cape of Good Hope, and that he had had interviews, if not with General Buonaparte, at least with some of his Followers, and had received from them letters for Europe. The ostensible object of some of the letters recently delivered in London was to secure the transmission to Longwood of certain political Publications. For this purpose it was desired that they should be forwarded to the Cape in small packets capable of concealment, if necessary, and addressed to a Merchant there of the Name of W. Rose, who was stated to have the means of ensuring their delivery at Longwood, and who is represented as the Agent and Correspondent of the Person at Bahia.

I am aware that the intelligence which I have now the honor of

transmitting to you is not sufficient to enable Your Lordship to adopt any Measures but those of Vigilance and Precaution. I need not, I am sure, point out to you how desirable it is to ascertain the Names and Character of any persons arriving at the Cape from Bahia who may be received by Mr. W. Rose.

In the event of any such person afterwards proceeding to St. Helena, I have to desire that your Lordship would by the same Ship in which he may proceed, send a confidential Communication by a Special Messenger to Sir Hudson Lowe, informing him of the grounds of Suspicion which you may entertain and pointing out the Individual whom you may consider implicated in an Attempt at clandestine Correspondence.

Sir Hudson Lowe has been duly instructed as to the Course which it will be desirable for him to pursue under such Circumstances. I have therefore only further to request that Your Lordship would carefully avoid exciting any Suspicion as to Your knowledge of the Correspondence which has hitherto taken place, lest the Parties should be put on their guard before an Opportunity was afforded of ascertaining their real Views and intentions.

I have &c.

(Signed) BATHURST.

[Copy.]

Letter from the Comptroller of Customs to the Colonial Secretary.

CUSTOM HOUSE, Wednesday 2 o'clock.

SIR,—I have the honour of enclosing to you, for His Excellency the Governor's information, a copy of the Order in Council by which all necessary powers are given to the Collector for the protection and apprenticeship of Negroes natives of Africa, in cases of capture or forfeiture. I have carefully read over the different Acts for the abolition of slavery, since our conversation of yesterday, and I am convinced that no case can arise in which (for whatever reason) an African Negro treated and kept as a slave on board any ship can be landed without forfeiture to the King. The various Acts allow of no modification. They give no

power to Governors and others to dispense in any possible case with the written Law of England, which now declares it to be felony to aid or assist in any shape in the *transport* of slaves natives of Africa. By no very forced construction, the supplying them with provisions, however humane, is aiding in their Transport and assistance and encouragement to the foreigner in this forbidden commerce. The treaties with different nations permit vessels of friendly powers to come into port to refresh and to repair and to sell part of their cargo to pay the expence, but a slave ship is by her particular traffic deprived of this advantage, she has nothing but what is contraband; and the African Negro from a slave ship must, if landed, as a matter of course be seized as a contraband article, brought to trial in the Admiralty or Inland Court by reason of his being an African Negro landed in opposition to the Act of Parliament, to be condemned as a forfeiture to the King in conformity to the Law and delivered over to the first Officer of Customs.

In the other case if the Master of the ship abandons, the vessel becomes a droit of Admiralty and the Negroes will be adjudged to be forfeitures to the King and thus delivered over also to the Customs. In truth I can read of no side path in this matter, nor do I think the Legislature intended there should be one.

The object is to throw every possible difficulty in the way of foreigners in their prosecution of this abomination, to give not even a hair's breadth of indulgence, and I have almost, by reading these Acts, brought myself to think that the lending money on this ship by Bottomry, or taking the bills of the captain or his owner or others to assist him in his transport of slaves, if not actual felony, would expose the individual to great danger. The case may be hard and so is the Trade, but in my opinion the slaves must go to sea or become forfeitures, and I can find no middle way. I have &c.

(Signed) W. WILBERFORCE BIRD,
Comptroller of Customs.

[Copy.]

Letter from the Colonial Secretary to the Fiscal.

COLONIAL OFFICE, 1st May 1818.

SIR,—The Governor is very anxious that you should take into early consideration what steps His Lordship should legally take in the event of the Master of the Portuguese Brig *Pacquet Real* abandoning the ship and cargo in this Harbour, that cargo consisting of slaves ?

It is right to state that the Officers of the Customs presume that the vessel and cargo, in such case, become Droits of Admiralty and must be proceeded against as such in the Vice Admiralty Court, and the negroes be taken possession of and provided for by the Collector of Customs. I enclose Mr. W. Bird's letter to me on this subject for your perusal, but His Excellency is not quite satisfied that the conclusions drawn by Mr. Bird are entirely applicable to the case, as he is not altogether of opinion that a case of abandonment here comes under the absolute jurisdiction of the Court of Vice Admiralty, or that the Collector of Customs has any claim to control over Negroes not prize of war or forfeitures by law under the Slave Acts. I have &c.

(Signed) C. BIRD.

[Copy.]

Letter from the Fiscal to the Colonial Secretary.

FISCAL'S OFFICE, 2nd May 1818.

SIR,—Having been called upon by you to take into my consideration what steps His Excellency the Governor should legally take in the event of the Master of the Portuguese Brig *Pacquet Real* abandoning the ship and cargo in this Harbour, that cargo consisting of slaves, I have the honor, for the information of His Excellency, to say that I am humbly of opinion that with regard to the cargo, consisting of slaves, the moment they are abandoned by the Master of the Portuguese Brig they are entitled to freedom without manumission, this case having been provided for, not only

in the Roman Law Lib. 40 D. tit. 8, Lex 2; Lib. 7, Cod. tit. 6 Lex unica § 3, but also in the Statutes of India, in the Title of Slaves, section 24 (old statutes) and Section 80 (new statutes) where it has been expressly declared :

“That in case of sickness or inability of the Masters to provide for their Slaves, such Slaves not provided for and abandoned to misery and want shall upon their request be declared free by the Judge.”

It appears to me that conformably to this enactment of the Law at present in force in this Colony, in case by the act of the Master of the Brig (who is or represents their Master in this Colony) the Slaves are left to a state of starvation and cannot be provided for by him, they must enjoy the benefit of this benevolent disposition of the Law; and therefore as they are totally unable to protect themselves or to claim for themselves the benefit of the Law, I beg leave to submit to His Excellency's consideration whether it would not be requisite under these circumstances to take upon himself the protection of these unfortunates and to direct the Fiscal to proceed on their behalf according to the prescriptions of the Laws of this Colony, which in this respect certainly have not been abrogated by the Acts of Parliament abolishing the Slave Trade.

None of these Acts, as far as I can see, relates to the case in question, but they all relate to the Slave Trade carried on in British Vessels or in which British subjects, in whatever manner it may be, are interested.

Here a Portuguese Slave Trader who carried on his trade under the Laws of his own Sovereign has entered this Harbour with a Portuguese Vessel bound to a Portuguese Country with the view only of taking in refreshments, no claim to forfeiture or confiscation has been preferred against him, no seizure made, and consequently he has been acknowledged under the circumstances of his case as not having transgressed the Abolition Slave Trade Acts.

Whilst he is in this situation a circumstance happens, by which he is compelled propter vim majorem to abandon his cargo of slaves not as objects for any trade in this Colony but as a useless cargo that cannot be in any way disposed of, nor transported to the place of its destination.

He is compelled to resort to this extreme because Government

declines encouraging his trade by giving him any assistance; for all he has been able to obtain from Government has been an asylum for himself and those under his protection, to save them from impending death. The moment he abandons his cargo of slaves, Government constantly actuated by the same motive, will feel it incumbent to protect the poor abandoned human beings, from whom the Master of the ship has been obliged to withdraw his own protection. This act of humanity cannot make Government interested in his Slave Trade, for that Trade is at an end in consequence of the Master having abandoned his cargo, on the contrary it is an act of mercy towards unfortunates who have been thrown entirely upon the mercy of Government, as interested in their conservation. Government provides them with the necessaries of life, as interested in their freedom, which they have gained in consequence of the act of the Master of the ship, who abandons them to misery, Government secures to them the enjoyment of the same, the more so as they are liberated in consequence of the existing circumstances of the Colony; no Slavery being now acknowledged here but of those who have been registered as Slaves. To show the competency of the Court of Justice to declare these persons free, it will be sufficient to have observed that their right to freedom originates in the act of the Master of the vessel abandoning them, which is an act done in this port within the jurisdiction of the Court of Justice. The Court of Vice Admiralty here, which otherwise perhaps might be deemed competent, does not seem to me even here to have a concurrent jurisdiction with the Court of Justice, for the Jurisdiction of the Courts of Admiralty is stated in the commentaries of Law not to extend their Jurisdiction in cases which have happened within the ports or havens, (*vide* Law Dictionary at the word Admiral.)

As the circumstances of the ship abandoned by the Master, but still remaining the property of its owners, are widely different from those of the cargo, as there has been no transgression against any of the Abolition Slave Trade Acts, as the cargo of slaves has neither been imported *here* nor abandoned for any of the purposes prohibited in the said Acts, and consequently as there seems to be no forfeiture, I am under correction, of opinion with regard to the ship abandoned that His Excellency the Governor will be justified in ordering the interests of those concerned to be secured in the regular manner, by directing the President and

Members of the Insolvent Estates Chamber to proceed in this respect agreeably to their instructions, Act 52 L. D., in which it has been declared that the administration of all goods, the property of persons not living in this Colony or otherwise unknown and not entrusted to the care of any person in this Colony does belong to said Chamber. I have &c.

(Signed) D. DENYSSEN.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 3rd May 1818.

MY LORD,—I have received and laid before The Prince Regent Your Lordship's Dispatch No. 96 of the 10th October of last Year, recommending a general Augmentation of the existing salaries of the Civil Officers at the Cape.

I am commanded in reply to acquaint Your Lordship that although His Royal Highness is fully aware of the anxiety uniformly evinced by you to avoid every unnecessary expenditure and of the Caution with which you have always proceeded in recommending any augmentation, yet His Royal Highness cannot under the existing Circumstances of the Empire authorize the general encrease of Civil Salaries which is the object of your Application. His Royal Highness indeed is not insensible to the Necessity which exists of assigning to some Officers and especially to those in the Judicial Departments salaries more adequate to the Stations which they fill, and has therefore commanded me to express his Approbation to your raising the Salary of the President of the Court of Justice to One thousand Pounds Sterling per Annum, and that of each of the Four senior Members of the Court to Five Hundred Pounds.

I am however to suggest to Your Lordship whether Means might not be found of defraying this and other but little less necessary Augmentations of similar Expenditure in the diminution of the Number of Government Officers and in some new Arrangement of the Departments of Government. It certainly appears to me that eight Judges cannot be absolutely required for the Administration of Justice at the Cape and that it would be far

more advantageous, if possible, to reduce the Number and assign to those executing the Office emoluments more corresponding to the duties which they have to perform.

It further appears that some Arrangement of a similar Nature might take place as Vacancies occur, with respect to some of the Boards in the Colony, such for instance as the Orphan Chamber, the Insolvent Estates, the Government Bank, &c., &c., in all of which I can see no reason why the higher Officers of Government should not be constituted Members *ex officio*, without additional emoluments, leaving the detail of the duties of each to be executed by the Members that enjoy salaries, but giving their occasional Assistance and exercising a general Superintendence on all important occasions.

Having submitted these points to Your Lordship's Consideration, I have only to assure you that should any such reduction as that which I have adverted to be considered practicable, I shall most readily submit to The Prince Regent any Arrangement which You may ultimately suggest for applying the Saving thus created to a more liberal remuneration of the remaining Officers of Government. I have &c.

(Signed) BATHURST.

[Copy.]

*Letter from the Colonial Secretary to the Collector and the
Comptroller of Customs.*

COLONIAL OFFICE, 4th May 1818.

GENTLEMEN,—I am directed by his Excellency the Governor to transmit to you the accompanying copy of a dispatch from Earl Bathurst with copies of its several enclosures, relative to an error committed in the Custom House at this place, in not enforcing the regulation respecting manifests prescribed by the 54th of the King, Cap. 36.

As this omission has already produced serious inconvenience, and as, if not henceforward strictly attended to, it will be of vital consequence to the Trade and Interests of this Settlement, His

Excellency cannot too strongly impress upon you a more correct attention to the duties required of you by Law. I have &c.

(Signed) C. BIRD.

[Copy.]

Letter from the Colonial Secretary to the Comptroller of Customs.

COLONIAL OFFICE, May 5th 1818.

SIR,—Referring to your letter of the 27th January last, reporting a practice which appears to have crept in prejudicial to the public Revenue, of the King's storeships sailing to and from St. Helena in the character of mere Merchant ships, without reporting, clearing, or producing Manifests at the Custom House, I am directed by His Excellency the Governor to transmit to you herewith for your information a copy of a letter from Rear Admiral Sir Robert Plampin in explanation of the case in question. I have &c.

(Signed) C. BIRD.

[Copy.]

Letter from the Comptroller of Customs to the Colonial Secretary.

CUSTOM HOUSE, May 5th 1818.

SIR,—In reply to the favor of your letter, enclosing one from Rear Admiral Plampin, I have to observe that, feeling very keenly the reproof of his Excellency the Governor, as conveyed in your letter of the 4th instant, in which the Collector and myself are impressed with the necessity of a more correct attention to the duties required by Law, I humbly hope that His Excellency will be pleased to cover the Collector and Comptroller with his protecting shield, if Lord Bathurst should complain that the Act of the 13th and 14th Chs. 2, Cap. 11, (being one of the Acts) which ordains a penalty of £100 on every Master of a ship bearing

Commission from His Majesty and neglecting to make entry of merchandize on board, has been disregarded by this Office.

I have &c.

(Signed) W. WILBERFORCE BIRD, Comptroller of Customs.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

Lord Bathurst presents his Compliments to Lord Charles Somerset.

With reference to the instructions which Lord Bathurst had the honor of addressing to Lord Charles Somerset on the 20th August 1817 authorizing his Lordship to retain possession of Tristan da Cunha, He has to request that Lord Charles will not, until further Orders, give any directions to lay down Anchors with Chain Cables at Tristan da Cunha, to afford Accommodation to Foreign Vessels arriving there.

COLONIAL OFFICE, 6th May 1818.

[Copy.]

Letter from the Collector and the Comptroller of Customs to the Colonial Secretary.

CUSTOM HOUSE, 6th May 1818.

SIR,—In reply to your communication on the subject of manifests, we have the honor to acquaint you for the information of His Excellency, that the inconvenience experienced by the *Selina* and *Warrior* having been made known to this Office last year, no Master of a British vessel laden at the Cape has been allowed to sail for England since that time without swearing to the manifest, and that the circumstance was remedied previous to the date of Lord Bathurst's letter. Neither the Collector or Comptroller have ever refused to receive an oath from a desiring party, though possibly the Comptroller might have stated that he considered it as useless, which he did at that time.

The Manifest Act of the 26th Geo. 3, C. 40, requires no affidavit, except when wines are shipped, and previous to the Manifest Act of the 54th of the King Cap. 36 which passed in consequence of the opening of the India Trade (including the Cape for that purpose but not to interfere with its former general Trade) this Office required no oath, and the non administration of the oath to the *Warrior* and *Selina* arose, not from negligence, but from our conception that the Act of the 54th of the King applied only to ships from India touching at or going from the Cape with East India cargoes, and not to ships with usual freights from the Cape to London. Those from India were uniformly required to take the oath, and no objection during so long a period as from the 54th of the King was made at the Custom House in London to the entry of Cape Ships under the Old Manifest Act, till the *Selina* and *Warrior* last year.

It is we hope unnecessary to assure His Excellency that every attention shall continue to be paid to the duties required from us by law, and we request the favor of you to state to His Excellency that it will be matter of great convenience, and tend to the most accurate discharge of our duties, if he will have the goodness to request that this office may be supplied with a collection of the different Acts that have passed on the subject of the customs, and by a transmission of all future ones immediately after they are passed, there being at present no such documents belonging to the Custom House. We have &c.

(Signed) CHARLES BLAIR, Collector of Customs.
W. WILBERFORCE BIRD, Comptroller of Customs.

[Original.]

Letter from LIEUTENANT COLONEL BIRD *to* EARL BATHURST.

CAPE TOWN, 8th May 1818.

MY LORD,—Lord C. Somerset has had the melancholy task of acquainting your Lordship by this mail of the decease of our much esteemed friend Mr. Henry Alexander.

His Lordship in a manner most gratifying to my feelings has nominated me to the vacant office, and it is to solicit your Lord-

ship's confirmation of what has been the constant object of my exertion and fair ambition that I am emboldened now to address you.

My intimate knowledge of the language and the people of this extensive country was the first cause of my having been selected for the station I have for 11 years filled in this Government. Those advantages have naturally thrown upon me that intercourse with the local authorities which can alone be attained by their possession and they have at the same time enabled me to forward the views of His Majesty's Government here to the entire satisfaction of the several Persons who have been in Chief authority during that Period. The respective Governors have been so kind as frequently to recommend me to the favourable notice of the Secretary of State and I can particularly refer your Lordship to the official communications of Lord Caledon and Sir J. Cradock on this head.

The immense distance we are at from England and the unexpected turn which the disorder of my lamented friend took, has placed it almost out of my power to make timely application to those who might have weight in urging my humble claims to your Lordship's favors ; I therefore venture to make my own appeal and shall be proud to owe my success to your Lordship's approval of my past conduct. I have &c.

(Signed) C. BIRD.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 9th May 1818.

MY LORD,—It is my painful task to have to communicate to your Lordship the death of our much esteemed Colonial Secretary Mr. H. Alexander, which sad event took place on the 6th instant.

I have not hesitated in putting Lieut. Colonel Bird into the vacant situation until His Royal Highness the Prince Regent's pleasure shall be known, and I take the liberty of urgently soliciting your Lordship to sanction and support this nomination.

The services and claims of Lieut. Colonel Bird I have had the honour on other occasions to lay before your Lordship. Lieutenant

Colonel Bird has filled the arduous and important office of Deputy Secretary to this Government during a period of eleven years, and the duties of the Colonial office, since my administration, have chiefly devolved upon him, so that in recommending him to your Lordship at this moment, I do so from a knowledge of his abilities to perform the various duties to your Lordship's satisfaction.

Mr. H. Somerset being hourly expected here, it is my intention immediately on his arrival to appoint him to the Deputy Secretaryship, and I doubt not that his assiduity and attention will merit the confirmation of my nomination, which I solicit at your Lordship's hands. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

Memorandum by the Chief Justice.

11th May 1818.

Portuguese Brig Packet Real—Cargo Slaves.

Mr. Wilberforce Bird's argument "that no case could arise in which for whatever reason an African Negro treated and kept as a slave on board any ship can be landed, without forfeiture to the king," appears to me with due submission to be unfounded; for if the Brig *Packet Real*, instead of being prevented from proceeding on her voyage by want of money, had been detained by some of His Majesty's Naval or other competent officers for condemnation, and if on enquiry no sufficient ground for condemnation had appeared to the Court, the slaves, out of which her cargo consists, although landed, and provided for by the Collector of Customs, would have been restored to their Owners. 55 Geo. III., Ch. 172.

This at the same time proves that it is not contrary to any of the Abolition Acts of the British legislature that African Negroes be landed by a Slave Trader, without thereby becoming subject either to Seizure or Forfeiture. And whereas in the present case no doubt exists about the legality of the trade of the said Brig *Packet Real*, so that she might proceed on her voyage without being liable to any legal detention if she could get provided with

the necessary provisions ; it appears that by the abandonment of the ship and her cargo a case would arise, not liable either to Seizure or Forfeiture, and to which, consequently, the disposition of the Abolition Act cannot be made-applicable.

As to the Abandonment itself, the same can be done on two grounds, either in behalf of the Underwriters, or out of necessity or rather despair, from being deprived of the means of providing for the Slaves any longer. In the first instance there would exist a commercial abandonment, in which it is the duty of the Master, in case of his not being able to correspond with the Underwriters, to secure their interest by taking recourse to some public authority, in order to appoint the necessary Agents for that purpose. The other instance, on the contrary, is not a commercial abandonment, but much more a dereliction, by which the vessel with her cargo would become a right of the Crown.

But however different the effects of abandonment may be with regard to the vessel and other property, yet as far as concerns the Slaves the thing in both cases comes to the same point. Since in the first instance the Agents for the underwriters would, in consequence of the existing Abolition of the Slave Trade, be prevented from making here any disposal over the Slaves other than to send them from hence or to leave them here to their fate, which latter case amounts to a dereliction also, and must have the same effect, this being the case, the Colonial law decides that those persons who are on board of the Brig *Packet Real*, in case of dereliction, cease to be Slaves, and must be considered as free persons, "Servo enim quem dominus ob gravem infirmitatem pro derelicto habuit, competit libertas ff. L. 40. T. 8. L. II. qui sine manumissione ad libertatem perveniunt." The Slaves thus becoming free ipso Jure, it follows that in this case no judicial decision about their state would be required, as is the case in 47 Geo. III. Ch. 16. S. 7, where a judicial decree is required "for the purpose of barring any claim to them (viz. Negroes) which before existed, or might be afterwards set up." In case therefore the Negroes be landed for the purpose of abandonment, for which, when they are in a state of starvation on board, His Excellency the Governor could with difficulty refuse his permission, they could come in no other aspect than as free persons thrown into the Colony by a lamentable fatality, without having from their own any means of subsistence, and whom humanity would induce His Excellency the

Governor of this Colony to provide for. Nay, under these circumstances I think (be this said with due respect) it obligatory and incumbent on the Governor to make such provisions, in the spirit of the British Government, for the future subsistence and welfare of these persons as His Excellency in his wisdom shall deem expedient, appointing to the execution thereof such person or persons as he would think most fit for the purpose.

Whilst with regard to the provision itself, I am humbly of opinion that considering the state of utter ignorance and impotence in which the Negroes in question are placed, the disposition of 47 Geo. III. Ch. 36. S. 7, viz. "to enlist those Negroes in the Land or Sea Service, or bind them, for a term not exceeding fourteen years, as apprentices to such persons &^{ca} as may seem meet &^{ca}" is the surest analogy which His Excellency could follow in this case, without requiring any previous condemnation either from the Vice Admiralty Court or the Court of Justice.

Finally I have only to add that the just disposition of the British legislature to suffer the slaves, in case of lawful trade to be left to their lawful Owners, and in case of doubt to restore them after due investigation, prevents me to join the respectable Mr. Wilberforce Bird in every one of the charitable conclusions contained in his letter.

(Signed) J. A. TRUTER.

[Office Copy.]

Letter from LORD BATHURST to LORD CHARLES SOMERSET.

DOWNING STREET, 12th May 1818.

MY DEAR LORD,—The manufacturers of Sweets in this Country have again pressed for an additional duty on the importation of Wines from the Cape, and they have been seconded by some of the Merchants employed in the Wine Trade on the ground that the encouragement given to the Cape Wines is prejudicial to the importation of Wines from Spain and Madeira, and therefore prejudicial to the Revenue, which it is stated is beginning to be defrauded by the export from Europe to the Cape of Wine which is then re-exported from thence to England under the low duties on Cape Wines.

I doubt very much whether this is the Case ; but in order to obviate such a practice, if it exists, or such a pretence if it has no existence, it would I think be desirable to levy a small duty on all European White Wines, if re-exported from the Cape. I am not aware that this would be attended with any inconvenience to the Trade of the Cape, as it would not operate upon any Wine which was not landed for re-exportation and it would satisfy the Chancellor of the Exchequer that if any practice of the Kind I have mentioned has really existed, the Colonial Government has done its best to prevent a Continuance of what indeed that Government has itself an interest to discountenance. I have etc.

(Signed) BATHURST.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 12th May 1818.

MY LORD,—I have the honour to transmit to your Lordship herewith copies of a correspondence which has taken place between the Officers of the Customs of this Port, the Admiral and Naval Commissioner of this Station, the Civil Authorities at St. Helena, and myself, on the subject of a practice which is reported to have crept in, prejudicial to the Public Revenue, by store ships, commanded by officers bearing commissions in His Majesty's Navy, sailing to and from St. Helena and these ports in the character of mere Merchant Ships, without reporting, clearing or producing manifests at the Custom House.

Your Lordship will perceive from Sir J. Brenton's communication that he is of opinion "that the Admiral will not consent to the measure of a ship under his command being subjected to the forms prescribed for merchant vessels, as suggested in the Comptroller's letter of the 27th of January last," in which sentiment Vice Admiral Plampin wholly concurs, while the Comptroller of Customs claims protection from the effects of the Acts of Parliament quoted by him, which enjoin a compliance on the part of the King's Ships with the provisions of the law.

Now as it would be highly prejudicial to the Service that a seizure of a King's Ship should take place on this Station, a

measure which the officers of the customs appear willing to resort to to bring this question to issue, I am most anxious that such an alternative should be avoided, and therefore take the liberty of referring the case to your Lordship, in order that, should your Lordship concur in opinion with the officers of the customs of this place on this question, Your Lordship should make such communication to the Admiralty on the subject as shall induce their Lordships to give such instructions to the Naval Authorities on this Station as may tend to obviate the complaint now referred; while should Your Lordship deem the King's Ships to be exempted from the laws quoted by the Comptroller, upon your signifying the same to me, I shall not hesitate to issue such orders to the officers of the customs here as shall put this question entirely to rest. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 12th May 1818.

SIR,—Immediately on the receipt of Your Lordship's Dispatch No. 33, dated the 8th day of December last, with enclosures from the Treasury, on the subject of an omission on the part of the Colonial Custom House to permit certain vessels to verify their manifests as required by Law, I caused a letter (a copy of which is herein enclosed) to be written to the principal officers of that Department on the subject, and have now the honour to transmit to your Lordship a copy of a letter received from the Collector and Comptroller in explanation, from which Your Lordship will notice that the circumstance of the inconvenience which had arisen in the cases of the *Selina* and *Warrior*, referred to in Mr. Lushington's letter, had previously reached this place, and that no vessel laden here has for some time been allowed to sail from hence for England until the Master had sworn to his Manifest.

I beg to call your Lordship's particular attention to the concluding paragraph of the Collector and Comptroller's letter, which requests that they may be supplied with a collection of the

different Acts that have passed on the subject of the Customs, and by a transmission of all future ones immediately after they are passed. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Letter from LORD CHARLES SOMERSET to EARL BATHURST.

CAPE OF GOOD HOPE, 12th May 1818.

MY LORD,—I have the honour to enclose, for your Lordship's information, a copy of a letter from His Majesty's Fiscal in this Settlement, giving cover to a short statement of the different laws and regulations which apply to the celebration of marriages in this colony and copies of the several regulations at large which are therein referred to. These documents were called for by Your Lordship's circular letter of the 12th March 1817, and have taken more time in translating and preparing (in order to put Your Lordship in full possession of all the bearings of the question) than it was at first supposed would be necessary thereto.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure A in the above.]

FISCAL'S OFFICE, 22nd April 1818.

SIR,—I have the honor herewith to transmit to you, for the information of His Excellency the Governor, a short statement respecting the form and manner in which marriages should be celebrated in this Colony in order to ensure their validity, to which I have annexed translation of the regulations of and copies of such further documents as have been referred to in the same.

I have &c.

(Signed) D. DENYSSSEN.

[Enclosure B in the above.]

Statement of the Laws, Ordinances, and Regulations at present in force in the Colony of the Cape of Good Hope with respect to the form and manner in which marriages should be celebrated in order to secure their validity.

The Laws regulating the form and manner of the celebration of marriages in this Colony are:

1st. The Provisional Regulations respecting the celebration of Marriages by the inhabitants of the Country Districts issued by the Commissary General of the late Batavian Government. Previous to the introduction of the said Regulations, which have been proclaimed in this colony on the 9th November 1804, and agreeably to a Resolution of the Governor and his Political Council taken the 3rd January 1805, have been extended to the celebration of Marriages by the Inhabitants of Cape Town and its District, no colonial Regulation on the subject was in existence, and thus the Board of Commissioners for Matrimonial affairs was obliged to follow the established Regulations for East India as introduced here agreeably to a Resolution of the Governor and Council of the 12th February 1715, or where the same might be found deficient the General Laws of the Netherlands, the birth-right of the first settlers in this Colony. After the introduction of the aforesaid Regulations the same as far as I could trace have been amplified and altered in the manner as explained in the following successive Proclamations and Ordinances, viz.:

2nd. A Resolution of the Governor and his political council of the 26th June 1805.

3rd. A Proclamation dated the 26th April 1806.

4th. A Letter from the Colonial Secretary to the late Mr. Van der Kemp bearing date the 10th July 1806.

5th. A Letter from the Colonial Secretary to the late Mr. Van der Kemp bearing date the 14th February 1807, and

6th. Government advertisement of the 18th March 1818.

From these sources may be derived the following short statement respecting the form and manner in which marriages should be contracted in this Colony in order to ensure their validity.

1st. It is required that the marriages be preceded by the annotation before any one of the Matrimonial Boards established in

this Colony and by the regular publication of three bans on Sundays.

2nd. This however agreeably to the practice adopted in the Netherlands may be as far as regards the publication of the bans dispensed with, in cases of urgent necessity by the authority of the supreme Political Magistrates of the places to which the parties who intend to enter into marriage do belong.

Agreeably to this it also now has been established in this Colony, that upon a proper application made to His Excellency the Governor Special Licenses for Marriage without Bans may be granted to such persons as have appeared before the Matrimonial Board and obtained from that Board the necessary certificate of their intended Marriage being unobjectionable.

3rd. Such Licence not having been obtained by the Parties, their Marriages contracted without preceding Bans are invalid.

4. It therefore is required to the validity of Marriages legally contracted in this Colony, that the parties previous to their intended marriage shall have appeared before the Matrimonial Board to which the residence of the intended Bride does and during the last three months did belong, whether in Cape Town and Cape District or in any of the Country Districts, for annotation; and that upon the annotation of their intended marriage having duly been effected in any of the said Boards as aforesaid, three successive Bans shall have been regularly published on Sundays.

5. Upon an application in writing to be subscribed by the Bridegroom and Bride and in case of minority to be likewise subscribed by the father or guardians, the respective Matrimonial Boards are authorized to grant the Publication of the Bans previous to the Parties appearing before them.

6. In case of minority of any of the parties intending to enter into marriage if the intended Bridegroom has not attained the age of 21 or the intended Bride the age of 18 years, no annotation or publication of the Bans is allowed to take place without the consent of the parents or guardians, and in case of discrepance between the parents then of the father, or between the guardians then of the majority of them.

7. After they shall have attained the age of 21 or 18 years, but previous to the time of their majority, which commences at the completion of their 25th year of age, the consent of the Parents is also required *Honoris causa*, but in case of their refusal to consent,

the annotation takes place and the publication of the Banns is only suspended until by a final judicial decree it shall have been decided whether their opposition is founded on sufficient and legal reasons or not, and in case the same shall have been rejected the publication of the Banns shall go on.

8. No annotation for Matrimony of Military Persons under the rank of Officers can take place without their producing a written permission from the Commander of the Corps to which they belong, nor can the same take place of strangers who have not obtained any permission to remain in this Colony, unless by a written permission from the Governor.

9. The Publication of the Banns agreeably to the Regulations must be performed on three succeeding Sundays in the Town or District in which the annotation has been effected, and should the Bridegroom reside in another place then also in the Town or District where the Bridegroom resides; at the usual places where all other public Proclamations are made, in the forenoon between eleven and twelve o'clock after the ringing of the bell, besides which at the said places the names of the parties, as also whether it is the first, second, or third time of publishing the Banns ought to be posted on a Board appropriated to that purpose and so placed as to be conveniently read by every person.

10. This however has been deviated from in so far as the publication of the Banns according to the present usage is performed only in the churches of the District, Town, or village, where the annotation has been made, as also of the places where the Bridegroom and Bride reside should no Matrimonial Board have been established in the same.

11. In cases of urgent necessity, where there is no reason for suspecting a third person to be concerned (and in no other cases) the Commissioners composing the Matrimonial Boards are authorized at the request of the parties to grant permission to have the Banns published more than once on the same day, however with an interval of some hours between each time.

12. The object of the publication of the Banns of Marriage is to afford to those interested an opportunity to stop the course of the same by stating to the Commissioners or their secretary the reasons they have for opposing the celebration of the intended marriages, which oppositions having regularly been brought in, they are proceeded upon as stated in the regulations. If therefore

no just cause of impediment has intervened, the celebration of the marriage contract may take place immediately after the publication of the third bann, but should any opposition have been made by which the banns should have been suspended the celebration of the marriage contract cannot take place unless this impediment be previously removed.

13. The marriages are to be solemnized by an ordained clergyman or minister of the Gospel belonging to this Settlement.

14. As for the conversion of heathens to the Christian faith Missionary Moravian Institutions have been established in this colony, the Missionaries or Moravians superintending such Institutions provided they are regularly called to perform that service by the Missionary or Moravian Societies in Europe, may be authorized by Government to celebrate the marriages between such among the different tribes of the native inhabitants of this Colony as belong to their Institutions. Such authority has by the late Governor Sir David Baird been specially granted to the Missionaries belonging to the Institution of Bethelsdorp.

15. As to the internal requisites without which no marriages legally can be contracted, viz. the prohibitions arising from disability or incapacity, among which are that the persons contracting marriage are free persons and Christians not having another husband or wife living, not under the age of puberty, not related to each other within the prohibited degrees of consanguinity or affinity, not labouring under some particular corporal infirmities ; as also with regard to second marriages that the time prescribed within which no second marriages may be contracted has not elapsed, or that the hereditary portion due to the children of a prior marriage from their deceased parent has not been assigned to them, as these requisites do not regard the form and manner in which marriages should be celebrated within this Colony in order to secure their validity, it will be sufficient to have mentioned that the Commissioners composing the respective Matrimonial Boards are bound at the time of the annotation diligently to enquire whether any of the said impediments do exist, and if so that then the annotation for Marriage cannot take place.

Fiscal's Office, the 22nd April 1818.

(Signed) D. DENYSSEN.

[Enclosure C in the above.]

J. A. de Mist, LL.D., Commissary General from the Batavian Government for the Colony of the Cape of Good Hope, to all those who shall see, hear, or read these presents, greeting !

That he having considered it as very necessary and of the greatest importance to the farmers of this Colony that they should be released from the obligation to which they were till now subject of coming to Town, as well for the purpose of having themselves registered for marriage as for solemnizing the same, a custom the utility of which in the Infancy of the Colony was indisputable, but which from its immeasurable extent, increased population, and especially on account of the increasing Drostdies and Churches in the villages, has now lost its utility and has become rather tending to the injury of the inhabitants of the Country districts and to their domestic affairs, which must greatly suffer by the long and expensive journeys they are frequently obliged to take for this purpose.

That together with the introducing of the measures hereby established for rendering the solemnization of their marriages more convenient, it is likewise necessary that precautions should be taken against dangerous irregularities and neglects which for want of settled regulation in respect to an institution so important to the Community as the law of Matrimony is, may have crept in at the remote parts of this Colony, and which might become injurious to morality and render even the existence of the lawful marriages of such inhabitants uncertain.

It is from these considerations pursuant to the power and authority expressly vested in him by the executive power on this head, and in expectation of their further sanction thereto, that he has found good to ordain, as by these presents is ordained, the following

Provisional Orders respecting the Celebration of Marriages of the Inhabitants of the Country Districts of the Batavian Colony the Cape of Good Hope :

Art. 1st. By virtue of these presents are appointed as Commissioners for Matrimonial affairs in the Country Districts the Landdrost of each Drostdy together with two heemraden to be

nominated by the Landdrost assisted by the Secretary of the Drostdy and the messenger to act as summoner.

Art. 2nd. By vacancy, sickness, or absence of one of the Landdrosts, his place is to be filled by the eldest heemraad, and should he already be a member of the Commission in such case then by one of the other Heemraads. The Landdrosts are to take care, should any of the places of the Heemraads become vacant either by resignation, discharge, or any other cause, that this Commission remains always competent, by nominating another member, in order that no hindrance shall be given to the discharging of the different functions attached thereto.

Art. 3rd. The said Commissioners and secretaries prior to their entering on the duties of the Commission shall sign the following form of oath annexing thereto the day and year: "We the undersigned acting in the name of Government as Commissioners or Secretaries for matrimonial Affairs in the Drostdy of do hereby promise and swear on the oath taken by us on entering the different duties of our functions that we will acquit ourselves in the execution of our Commission as men of honor, agreeably to the instructions already given, or in future to be given. That we shall assist the Inhabitants to the best of our power and with our advice towards the promoting of their lawful marriages, and that we will also guard against all and every abuse thereof. That we will never receive or suffer any person to receive for us any gift or presents of what nature soever, not even of meat or drink, from or in the name of such persons as address themselves to us for the purpose of being registered for marriage, nor after the publishing of the banns thereof in order to have the same solemnized. That we will duly record or cause to be recorded everything relative to this Commission and discover to no person anything whatever which from its nature ought to be kept secret. The subscribing to this we do hereby hold of the same binding nature and effect as if we had taken the oath verbally. Drostdy of on the date expressed next to each name."

Art. 4th. The Commissioners are to assemble regularly every first Saturday in each month in the morning between the hours of 9 and 12 o'clock in the Common Room of the Landdrost and Heemraden for the purpose of registering such persons as intend to marry and at the same time to hear, and agreeable to these

regulations to adjust as far as lays in their power any differences that may exist.

Art. 5th. All those registered for marriage shall pay to the Church of the Parish to which the bride belongs the sum of five Rix Dollars. The landdrosts are to take care that all such monies so received be (without any deduction) every six months paid into the Vestry entitled thereto. In the newly established Drostdy of Uitenhage this money is to be added to the Church and School funds in the hands of the Landdrost and Heemraden till such time as a church be built. The Vestry of Swartland shall have the right if the bride belongs to that Parish to claim Five Rix Dollars tho' the annotation and solemnizing of the marriage (as belonging to the Cape District) has been effected in Cape Town. All this in compliance with the Church regulations of the 25th July of the present year.

Art. 6th. It is hereby enacted that all annotations and solemnizing of marriages shall from the 1st January 1805 take place before the Commissioners of the Drostdies in which the bride has her fixed place of abode, from which is to be understood the place where she has constantly resided for the last three months.

Art. 7th. In extraordinary cases the annotations for marriage, as well as the solemnizing thereof, shall be considered equally legal tho' made in private houses, which is to be left to the discretion of Commissioners however in such case the matrimonial parties are to pay twenty-five Rix Dollars to the church and school funds over and above defraying the reasonable expences of the Commissioners for the journey and loss of time.

Art. 8th. In all cases the Commissioners are to put the following questions to those who present themselves for the purpose of being noted for matrimony :

- (a) Their place of birth, place of abode, and age.
- (b) Whether they are Christians and not heathens or slaves.
- (c) Whether they are engaged in any manner by promise of marriage or otherwise and thus perfectly free.
- (d) Whether they have been married before, and if so whether there are any children or further offspring from their last marriage living.
- (e) Whether they are related by any of the ties of consanguinity or in any of the prohibited articles.

Art. 9th. The answers to the above questions to be carefully

and accurately noted down by the Commissioners. Should the least doubt arise of the veracity of any of the answers the Commissioners are authorised and shall be obliged to order the parties to produce further proof, either by verbal evidence or legal documents, and if necessary to confirm the same by oath, which oath the Commissioners are hereby qualified to administer. "The annotation however to be suspended till such time as the Commissioners are fully satisfied of the truth of the answers to the above questions."

Art. 10th. When a young man who is not 21 years of age or a young girl not 18 years, and that they desire to have permission to be married, they shall be obliged to prove to the Commissioners that they have the full consent of their parents, or in case of their not being alive, that of their guardians. For this purpose they shall be obliged to appear before the Commissioners together with their parents or guardians, and in case the same are prevented from appearing in person they must produce to the Commissioners a proper written consent signed by their parents or guardians as well as by two respectable witnesses known as such to the Commissioners. In case the Orphan Chamber should be guardians a written consent from them in the usual manner will be sufficient.

Art. 11th. Should the parents disagree about the marriage of their children who are not of age, the opinion of the father shall be followed. Should the grandfathers and mothers or guardians, being of an equal number not agree, the Commissaries shall in that case forthwith (*de plano*) adjust the matter in question and give such consent as may be wanting; should the number be unequal the opinion of the majority is to be followed.

Art. 12th. In case a young man should be 21 years old, or a young girl 18 years, but not have attained the age of 25 and wish to enter into the state of matrimony, the consent of the parents as mentioned in Art. 10th from the respect due to them must be produced, but should the parents refuse their consent, the noting of the marriage shall however be effected, but previous to the banns being published the parents so refusing, should they dwell in the same district where the Commissaries perform their functions, shall be summoned within a reasonable time to appear in order to give their consent or reasons for their refusal, and should they after being regularly summoned three times not appear or properly answer thereto, they shall be considered as

tacitly acquiescing to the same. In case of their appearance the Commissaries will use their endeavours to obtain consent and thereby amicably settle the difference between the parents and children, but if that is not attended with success the parties shall be referred to the Court of Justice there to seek for redress. The publishing of the banns shall however be postponed till the decision of the Court shall be properly communicated to the Commissaries.

Art. 13th. When the parties so refusing their consent reside in a different drostdy from where the annotation of the marriage has been made, or in the Cape District or in Cape Town, the Commission before which the same took place will write letters requisitorial to the Commissaries where the said parents live, to summon them to appear once, twice, and the third time, and by non-appearance, their absence is to be considered as a tacit consent. On their appearing the Commissaries shall make use of their best endeavours to procure their consent, but on a continual or unequivocal refusal thereof, they shall oblige them to sign a written declaration *in forma*. The Commissaries shall forward an account of their proceedings as speedily as possible to the Commission before which the marriage has been noted in order that they may act therein as set forth in Art. 12. The expences attending which shall without waiting for the decision of the Court be provisionally paid by the contracting parties.

Art. 14th. When the parents of such minor persons as mentioned in Art. 12th do not reside in this Colony and that they are not provided with the necessary permission, the annotation of marriage shall not take place, unless on producing a written consent from the Governor for the time being, who in this case is to supply the place of the parents and who is to give or refuse the same as he may judge proper.

Art. 15th. A young man or woman lawfully born in this Colony, in the Batavian Republic, or in any of its possessions, having a certificate of baptism that they have attained the age of 25 years, shall not be obliged to produce the consent of their parents or guardians for their marriage. Military persons serving as such under the rank of officer cannot be noted for matrimony without producing a written permission from the commanding officer of the Corps.

Art. 16th. Total strangers whether of, or under age, not natives

of this Colony altho' born in the Batavian Republic or in any other of her colonies or elsewhere, but who have not been sent here on any particular mission, or those who belong to any of the ships whether a man of war or merchantman of what nation soever, or passengers who have been here a short time without having obtained any legal permission to remain here, shall on no occasion be noted for marriage unless by a written permission from the Governor for the time being, who will then have an opportunity of provisionally making proper enquiries into the civil state and situation of such stranger.

Art. 17th. When one or both of the parties have been married before, they shall be obliged previous to the annotation being made satisfactorily, to prove that the former marriage is dissolved, either by death or lawful dissolution, and therefore entitled again to enter into the state of matrimony; the Commissioners in examining these proofs must act with the greatest circumspection, especially towards strangers, or such persons who have only had a temporary residence in this Colony.

Art. 18th. For the sake of morality no widower shall be permitted to contract a second marriage within less than three full months after the decease of his former wife, and no widow within less than full five months after the decease of her last husband, by whom she must also be certain that she is not pregnant.

Art. 19th. When one or both of the parties have a minor child or children by the former marriage, or in case of their decease minor descendants thereof living, they shall be obliged to produce to the satisfaction of the Commissioners; previous to the banns being published, a proper act from the Orphan Chamber or other legal guardian of such minor children purporting that they have actually received their portion of inheritance due to them out of the estate of the deceased husband or wife, or that sufficient security has been given for the same. Without the producing of such declaration the banns of marriage shall not be published.

Art. 20th. And as for the sake of morality marriage in the following degrees of consanguinity and affinity is forbidden by law, the Commissioners shall therefore not suffer to be noted for marriage, much less to enter into the Holy State of Matrimony,

1st. Parents with their children, grand-parents with their grandchildren either in the ascending or descending line.

2nd. Brothers and sisters either half or whole.

3rd. Uncles with nieces, aunts with nephews, whether from whole or half blood in the ascending or descending line.

Under such degrees of consanguinity as is here above mentioned the annotation for marriage not to be permitted. A man not to be permitted to marriage with those related in consanguinity to his deceased wife, nor a woman with those of her deceased husband.

Art. 21st. In cases which the law will admit of, the Governor for the time being may by way of dispensation grant some marriages, previously consulting the President and members of the Court of Justice, of which dispensation and grant a proper act must be produced to Commissioners.

Art. 22nd. And whereas the law forbids that neither Christians with heathens, slaves with free people, nor slaves among themselves should contract legal marriages, the Commissioners are therefore hereby ordered not to note such persons for matrimony.

Art. 23rd. The banns of marriage shall be published in the respective drostdies at the usual place where all other public proclamations are made, and this three succeeding Sundays in the forenoon between eleven and twelve o'clock after the ringing of the bell. Besides which at the said place the names of the parties as also whether it is the first, second, or third time of publishing the banns, shall be pasted on a board appropriate for that purpose and so placed as to be conveniently read by every person.

Art. 24th. Should the bridegroom not reside in the same Drostdy as the bride in which the annotation was consequently made, the Commissioners are to take care that the banns be three times also published in the district or town where the bridegroom resides or where he has resided for the last year. The respective Commissioners for matrimonial affairs throughout the Colony shall for this purpose keep a regular correspondence, giving due attention to the different requests and letters of each, forwarding the publication of the banns, and acquainting each other as speedily as possible thereof, in order that no delay be given to the solemnizing the marriage.

Art. 25th. In cases of urgent necessity where there is no ground for suspecting a third person to be in question (and in no other case) the Commissioners shall at the request of the parties grant permission to have the banns published more than once in

the same day, however with an interval of some hours between each time.

Art. 26th. Should any person conceive to have reasons to oppose the solemnizing of the marriage he is to do it forthwith at the time of the annotation or personally to acquaint the secretary of the Commission before whom the same was made, who as a proof thereof is to note down by or near the annotation as follows: "On this day the . . . appeared before me the undersigned, secretary to the Commission for matrimonial affairs of the Drostdy . . . the person . . . who declared to oppose the solemnizing of the marriage of . . . with . . . At the Drostdy of . . . Secretary." On the noting of which the publishing of the banns shall be suspended.

Art. 27th. The secretary shall then cause the parties to be summoned by the messenger to appear before the Commissioners at the next ensuing sitting, or should any of the parties reside without the Drostdy in that case they are to be summoned by letter in order that the matter may be investigated and if possible by the interference of the Commissioners amicably adjusted. Such letters tho' expedited from other jurisdictions shall have the force of a legal summons of the Commission before whom the annotation was made, who are hereby declared, reciprocally, not to incur any prejudice thereby. In case the parties or one of the same should on account of the long distance not be able to appear at the first sitting of the Commission, the Secretary in concert with the landdrost or one of the Commissioners who is present shall extend the same so long that all the parties may be present on the day appointed.

Art. 28th. Should the opponent not then appear, the impediment shall be done away and the banns published accordingly. In case of the non-appearance of the accused the parties shall again be summoned by the Commissioners at the expence of the non-appearer on a day appointed for the above-mentioned purpose, the opposition in the meantime to stand in force, and should the accused not comply with this second summons, the annotation shall then at the instance of the opposing party and at the expence of the accused be annulled.

Art. 29th. Both parties, the opponent and accused, not appearing on the first or second summons made in the abovementioned manner, the effect of the opposition shall not be done away by

the Commissioners without previous request from the contracting parties who are to assign satisfactory reasons for their absence.

Art. 30th. The parties appearing before the Commissioners who not being able to bring them to an accommodation they shall then be referred to the usual course of law. The effect of the opposition shall in such case remain in force till the opponent shall have proper time and opportunity to prosecute his cause before the Court of Justice of this Colony. The time allowed shall be fixed by the respective Commissioners according to the distance of their different residence from Cape Town. This period having expired and the cause not prosecuted, the impediment shall at the request of the accused be declared *illegal* by the Commission before whom the annotation was made, and the banns of marriage published accordingly.

Art. 31st. The respective Commissioners shall be at liberty in such and other cases should they judge proper provided there is sufficient legal ground to stop the publishing of the banns, of which as well as the reasons thereof they are to inform the Court of Justice as speedily as possible, who will after due consideration decide according to law.

Art. 32nd. After the publishing of the banns three times and no just cause or impediment intervening, the marriage to be solemnized by the Commission before whom the annotation was made according to the usual forms prescribed by the regulations of the State. Except in extraordinary cases as mentioned in Art. 7th the Commissioners shall sit the first Saturday in every month in the forenoon between the hours of eleven and twelve o'clock in their usual Court Room, where after the ringing of the bell the marriage is to be solemnized with open doors in the hearing of the public.

Art. 33rd. The contracting parties shall be at liberty after the solemnizing of their marriage to have the same confirmed by a clergyman in such manner as according to their religious principles they may think proper.

Art. 34th. The contracting parties shall be obliged within three months after the last publication of the banns to have their marriage solemnized under a penalty of one hundred rixdrs. for every month after that they may remain unmarried, for the benefit of the church and school funds of the Drostdy where the annotation was made, except said Commission or the Governor for the

time being should have sufficient reasons to allow them a longer delay.

Art. 35th. Foreigners married during their stay in this Colony with any of the Inhabitants agreeably to Art. 16th do not thereby acquire the right of Inhabitant or Burgher, notwithstanding their marriage they require the special permission of the Governor for the time being thereto.

Art. 36th. The different Commissioners for matrimonial affairs in the Drostdy of Stellenbosch, Swellendam, and Tulbagh, every six months, and those of Graaff Reinet and Uitenhage every year, shall transmit to the Secretary's Office in duplicate a distinct list of all the marriages which have been noted and solemnized within the last six or twelve months, to be signed by all the Commissioners and the Secretary, in which list they are to particularize the following.

(a) The names and residence of the contracting parties.

(b) Whether they have been married before or not.

(c) The names of their parents, guardians, or other witnesses present at the annotation.

(d) If the necessary consent has been given verbally or in writing, by whom and on what day.

(e) In case the parties are foreigners, whether they have produced the Fiat of the Governor as required by Art. 16th.

(f) If the rightful inheritance has been rendered to the children of such as were married before, by what act and of what date.

(g) On what day the annotation, the first, second, and third banns published, and the solemnizing of the marriage has taken place.

(h) Whether any opposition has been made, together with a relation of all the steps taken by the Commissioners therein, and of all the other circumstances of consequence which have taken place on the occasion.

The above to be placed in columns, the form for which will be forwarded (if necessary) from the Secretary's office above-mentioned.

One of those lists after being presented to the Governor and Council shall be forwarded to the Colonial Orphan Chamber for their information, and one to remain on file in the Secretary's Office.

Art. 37th. The respective Secretaries of the different Com-

missions for Matrimonial Affairs shall regulate their perquisites or fees according to a tariff to be regulated by the Governor and Council.

Art. 38th. The above regulations shall at all times be altered, increased, or diminished as (keeping in view the prosperity of the inhabitants) may be judged necessary.

Every force to be given for the accomplishment hereof by the Governor and Council.

Thus done in the Castle of Government at the Cape of Good Hope, the 20th September 1804.

(Signed) J. A. DE MIST, Commissary General.

[Enclosure D in the above.]

Extract Resolution taken by the Governor and Council on Thursday the 3rd January 1805.

The Commissary General J. A. de Mist, LL.D., having by Proclamation of the 20th September of last year issued a provisional regulation respecting the solemnization of marriages by the inhabitants of the Country Districts of this Colony, it was resolved with the approbation and consent of said Commissary General to order that the said regulations be adopted also in Cape Town, in such manner that the Board of Matrimonial and Civil affairs are in future to regulate themselves as well respecting the registering as the solemnization of marriages agreeably to the said regulations as far as circumstances do not require any alteration, respecting which the Board of Matrimonial affairs are hereby invited to transmit their opinion to the Governor and Council.

Extract hereof to be forwarded to the Reformed and Lutheran Churches, as also to the Board of Civil Matrimonial affairs, for their information and guidance respectively.

And further this extension of the Provisional Regulations is to be made known by Proclamation to the inhabitants of the Cape and Country Districts. A true translation.

(Signed) P. AURET.

[Enclosure E in the above.]

Extract Resolution of the Governor and Council at the Cape of Good Hope on Wednesday the 26th June 1805.

The several reports were laid before the Board which have been transmitted to them successively on the 27th February, 6th March, 13th March, 24th April, and 29th May last, by the respective Landdrosts of Tulbagh, Stellenbosch, Swellendam, Graaff Reinet, and Uitenhage, at the invitation of the Governor and General in Chief, with respect to the effect of the Matrimonial regulations, which reports having been duly considered it appeared that the herein-after-mentioned points became objects of the decision of the Governor and Council, viz.:

1st. Whether for the convenience of the inhabitants the Proclamation of the banns could not take place previous to the parties appearing before the Matrimonial Board, in order that the marriage may be solemnized immediately after the uninterrupted publishing of the Banns.

2nd. Whether the Matrimonial Court should not meet every Saturday instead of only on the first Saturday of every month, in order not to encrease the inconveniences by a longer interval of time which might be occasioned from the letters not arriving regularly or other intermediate causes.

3rd. Whether the application to have the Banns published previous to the registering might not be made in writing or whether it is necessary for the bridegroom to appear in person at the Drostdy for that purpose.

4th. Whether the publishing of the Banns ought not to take place in the Church to which the bridegroom or bride belongs, and affixed at the church gates in case such churches are not situated on the Drostdy, and those of Swartland and the Paarl.

5th. Whereas in such cases when the estate of a deceased is to be taken into the administration of the Orphan Chamber, the deeds for securing the Filial Portions in the inheritance are to be executed in Cape Town, for which purpose the surviving parent is bound to repair to town, whether no measure can be adopted to secure such shares and at the same time to remove said inconveniences.

6th. Whether it is necessary for the compliance with the 24th

Art. of the Matrimonial Regulations, that the solemnization of the marriage be fixed at a longer term subsequent to the application for the Banns ?

7th. Whether in the remote districts the Matrimonial Board might not be authorized to represent the Orphan Chamber in such cases where that Board are the guardians and their consent is required.

8th. Whether the Landdrost and members of the Matrimonial Court could not be authorized to remove the difficulties or inconveniences which might arise from misunderstanding the literal conceptions of the Marriage Regulations, without making any alteration in, or deviating from the same.

Which points having been maturely considered, it was resolved by the Governor and Council, respecting the three first mentioned points to authorise the respective Landdrosts and members of the Matrimonial Boards, as they are authorised accordingly by these presents, to grant the publishing of the Banns previous to the parties appearing before them, upon application being made in writing subscribed by the bridegroom and bride, and in case of minority likewise to be subscribed by the father or guardian, and further to assemble not only on the first Saturday of each month but on every Saturday for the purpose of receiving the usual application.

Respecting the 4th point the Banns of persons belonging to churches not situated on the Drostdy shall be published in and affixed at such churches also.

Copies of the fifth and seventh points to be forwarded to the Orphan Chamber with invitation to transmit their opinion and report thereon to the Governor and Council ; but the 24th Art. of the Matrimonial Regulations to which the sixth point relates is to remain unaltered, in the reasonable expectation that the mutual correspondence shall be promoted by every possible means.

And finally respecting the eighth or last point the Governor and Council authorise the respective Matrimonial Boards to decide if necessary any doubt that might occur, provided that such decision do not contain anything that can be construed to be contrary to the meaning less to the distinct words of the matrimonial regulations as the universal laws.

Extracts hereof to be forwarded to the President and Members of the Court of Justice, the Procurator General, the Orphan

Chamber of this Colony, the Matrimonial Court of Cape Town, Landdrosts and Heemraden of the respective Country Districts, and the respective churches, for their information.

A true extract.

(Signed) J. A. TRUTER, Secretary.

[Enclosure F in the above.]

Proclamation by Sir Dávid Baird on the 26th of April 1806. See Volume V, page 407.

[Enclosure G in the above.]

Extract from a letter written by J. F. van der Kemp to Government, dated Bethelsdorp 31st May 1806.

SIR,—Persons belonging to the school at Bethelsdorp are by the express permission of the late Governor Janssens married by the missionaries in our own church in the same manner as it had been permitted to other religious communities. These marriages, however, were according to the Batavian principles in a political view of no force unless they were confirmed by the Civil Matrimonial Courts. But as His Excellency the commanding General found reasons to transfer the right of solemnising marriages from the political courts to the ecclesiastics, and ordered that all marriage ceremonies are to be performed by a minister of the Gospel belonging to this Settlement, I take the liberty to beg to be informed if marriages between persons belonging to this Institution ecclesiastically solemnized at Bethelsdorp (providing that they may be enregistered by the Court of Heemraden) are to be considered as legally contracted, or if these persons may be remarried by the clergyman of the neighbouring parish of Graaff Reinet?

[Enclosure H in the above.]

Extract from a letter written by J. C. Smyth, acting Colonial Secretary, to the Revd. Mr. Van der Kemp, dated 10th July 1806.

SIR,—In respect to the marriages of the Hottentots belonging to the Institution at Bethelsdorp, His Excellency permits you to

continue to perform the ceremony as formerly, and if these marriages are registered at the Court of Heemraden for the district, there cannot possibly be any occasion to have the ceremony again performed at the Church of Graaff Reinet.

[Enclosure I in the above.]

Extract from a letter written by J. F. van der Kemp to Government, dated Bethelsdorp December 31st 1806.

SIR,—In a letter with which I was honored by your hand, dated July 10th, it pleased His Excellency commanding in chief, to declare that marriages of Hottentots belonging to the Institution of Bethelsdorp, ecclesiastically solemnized in the church of that place, are to be considered as contracted in due form so as to require no other confirmation, providing that they be registered at the Court of Heemraden. I suppose that by the term *marriages of Hottentots* are to be understood marriages of actual members of this Institution, many of whom are strictly speaking no Hottentots, but a mixture of eight or nine different nations, including the missionaries; but as I find myself not authorized to give this interpretation to the mentioned expression without being informed that this is His Excellency's real intention, I beg leave to request a further illustration of this point, and in particular such one as may remove every ambiguity respecting the two following cases:

The Revd. Mr. Read, missionary of this place, is married ecclesiastically at Bethelsdorp to a Hottentot woman of this Institution, but his marriage is as yet not registered at the Court of Heemraden.

Your humble servant Van der Kemp is likewise ecclesiastically married in this church to a woman of Madagascar extraction, belonging to this Institution, which marriage has been proclaimed and registered in due form by the Court of Heemraden.

You'll please to observe that these marriages were in this manner solemnized before His Excellency's late Proclamation, and the question is, if any further ceremony be required (except the registering of that of Mr. Read at the mentioned Court) for their final and lawful confirmation.

It is the opinion of the Landdrost Cuyler that the marriages of our people according to His Excellency's intention should be

solemnized in our church previous to their being registered at the Court of Heemraden. If this be the case I have no further observation on this subject, but should His Excellency's intention be (as I suspect) the reverse of this supposition, and require that the marriages be first proclaimed and registered at the Court of Heemraden, and afterwards upon a certificate of the said court ecclesiastically confirmed, I'll expect a further elucidation of this point. There is another difficulty which I wish that could be alleviated, viz.:

At the registering of the marriages the Court of Heemraden demands from our people the 12 Rix Ds. 6 Sch. which were usually paid by the inhabitants when the marriage ceremonies were performed by the mentioned Court. I do not in the least call in question the right which the Court may have to this money. But as our poor people are utterly unable to pay this sum, the registering of their marriages is thereby rendered impossible, and His Excellency's good intention to have them regularly married eluded. I doubt not but His Excellency will readily grant the poor of this Country the same privilege which they enjoy (as I believe) in every other civilized country, viz. freedom of the public perquisites, to which every other inhabitant is subject.

The Landdrost Cuyler, who has at my request about three months ago represented these points to His Excellency to be terminated by His Excellency's decision, informs me that he has by one, or other accident, received no answer, and it is by his advice that I take the liberty to recall them by your intercession to His Excellency's memory.

[Enclosure J in the above.]

Extract from a letter written by J. C. Smyth, acting Colonial Secretary, to the Revd. Mr. Van der Kemp, dated 14th February 1807.

SIR,—In answer to the first paragraph of your letter, I have received His Excellency's orders to acquaint you that you are right in supposing that by the term *marriages of Hottentots* in my letter of the 10th July the marriages of all or any of the different tribes of the native inhabitants belonging to your Institution was

meant, and therefore you are at liberty to solemnize all marriages in your institution among your own members, whether the parties are of Caffer, Hottentot, or Boschjesman birth or extraction, abstaining however upon all occasions from interfering with the colonists, Europeans or slaves.

[Enclosure K in the above.]

Extract from the *Cape Town Gazette* of the 21st March 1818.

Government Advertisement.

Notice is hereby given that in consequence of the numerous applications made to His Excellency the Governor to dispense with banns of marriage being called, His Excellency has come to the resolution to grant special licences for marriage without banns, upon a stamp of Rix Ds. 200 to such persons as have appeared before the matrimonial court and obtained from that Court the necessary certificate of the intended marriage being unobjectionable.

Cape of Good Hope, 20th March 1818.

By command of His Excellency the Governor.

(Signed) H. ALEXANDER, Secretary.





